

09.10.2025
Vacation Bench
(D/L 16)
Ct. No.7
Allowed
(S.M.)
(B.K.N.)

CRM (M) 1968 of 2025

In Re:- An application for bail under section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with G.R. Case No. 6032 of 2025, arising out of Rahara Police Station Case No. 219/2025 dated 04.08.2025 under Sections 25(1)(a)/29/35 of the Arms Act, 1959, read with Section 25(1B)(a) of the Arms Act, 1959.

In the matter of : Sudip Daw & Ors.

... Petitioners

Mr. Sabyasachi Banerjee, Sr. Adv.,
Mr. Anirban Dutta,
Mr. Smarajit Basu

... for the petitioners

Mr. Madhusudan Sur, Ld. APP,
Mr. Dipankar Pramanick

... for the State

1. Learned advocate for the petitioners and the learned advocate for the State of West Bengal are present.
2. Heard learned advocate for the parties.
3. Perused the materials in the case diary.
4. Learned advocate for the petitioners submits that the petitioner no. 1 was not named in the FIR and has been implicated subsequently on the basis of the statement of the co-accused person. Learned advocate in his supplementary affidavit affirmed today relies upon on the documents on the basis of which he is running the arms business.

5. Learned advocate for the petitioners further submits that in an earlier case being Jibantala P.S. case No. 83 of 2025 the petitioner no. 1 although was implicated but has been granted anticipatory bail but in this case also the petitioner no. 1 is implicated falsely.
6. Learned advocate for the petitioners draws attention to the recovery of the articles by the investigating officer from Rahara factory and those documents supplied by the petitioners/accused.
7. Learned advocate for the opposite party State of West Bengal relies upon the statement of the co-accused person and the shareholders and submits that some of the arms which have been recovered from the shop of the petitioners is not recorded in the register.
8. Upon perusing the petition and upon hearing the learned advocates and considering the materials of the case diary this Court is of the view that as relevant documents have been collected by the investigating officer and considering the period of detention which is 34 days and the stage of investigation and the nature of offence in the interest of justice the petitioners should be granted an opportunity to remain on bail.
9. Accordingly, the prayer for bail is allowed.
10. Hence the petitioners be released with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only), one of whom

must be local subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Barrackpore subject to the condition that the petitioners shall meet the Officer-in-Charge of the concerned police station once in a week where the petitioners resides and shall not meet or intimidate the persons acquainted with the facts and circumstances of the case and/or shall not tamper with evidence in any manner whatsoever. The petitioners shall not leave the jurisdiction of the Court without prior leave of the learned Trial Court. The petitioners shall appear before the Trial Court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bhartiya Nagarik Suraksha Sanhita, 2023. If any of the conditions is violated the learned Trial Court is entitled to cancel the bail.

11. The application being CRM(M) 1968 of 2025 is disposed of.
12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
13. Urgent Photostat Certified copy of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(Biswaroop Chowdhury, J.)