

10.11.2025
Sl. No.05
NB

CRM (M) 2156 of 2025

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Eco Park PS Case No.30 of 2025 dated 13.02.2025 under Section 64 of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Rishi Mondal ...petitioner

Mr. Anirban Dutta,
Mr. Abhra Jena,
Mr. Swarnadeep Khara,
Mr. Devang Das.
...for the petitioner.

Mr. Arijit Ganguly,
Mr. Asraf Mondal.
...for the State.

Mr. Bikram Mitra,
Ms. Nahid Ahmed,
Mr. Ayan Das.
...for the OP No.2.

Learned counsel appearing on behalf of the petitioner submits that his client is absolutely innocent. The two had a relationship at some points.

Learned counsel appearing on behalf of the de facto complainant submits that the criminal case was started due to misunderstanding.

Learned counsel appearing on behalf of the State opposes the prayer for bail and relies on the case dairy. He points to the statement of the victim recorded before the Magistrate and to the medical report.

In the medical report, it was recorded as a version of the victim that the two had a relationship for some time. However, on the date of occurrence, the victim could not remember what happened as she had

lost consciousness and only suspected that she might have been violated.

Considering the materials available in the case diary, the submissions advanced on behalf of the parties and in view of the fact that the petitioner is in custody for 25 days, I am inclined to allow the application for bail of the petitioner.

Accordingly, I direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000(Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Barasat, subject to condition that the petitioner shall appear before the learned Trial Court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it shall be open to the jurisdictional Court to cancel the bail without further reference to this Court.

The prayer for bail of the petitioner is allowed.

Parties to act on the server copy of this order downloaded from the official website of this Court.

(Jay Sengupta, J.)