

12.12.2025
SL.06
Ct.No.28
NB

CRM (M) 2174 of 2025

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with S.C. Case No.193 of 2025 arising out of Balagarh P.S. Case No.239 of 2025 dated 18.05.2025 under Sections 318(4)/316(2)/318(2)/64(2)(m)//351(2))/69 of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Sanju @ Bibek Bera

.... petitioner

Mr. Ashik dinda,
Ms. Hena Bhangi,
Dr. Indranil Srimani.

...for the petitioner.

Ms. Sonali Bhar

...for the State.

Report filed on behalf of the State is taken on record.

No one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. It is alleged that the petitioner established a relationship with the alleged survivor on promise to marry. However, thereafter he had to disclose that he was already married and had children. The petitioner has been in custody for about six months.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. However, she admits that the alleged survivor refused to undergo medical examination. Charge sheet has already been submitted and a date has been fixed for framing of charge.

Considering the materials available in the case diary including the statements of the survivor that there was some kind of a

relationship between the survivor and the petitioner for some time and they even went to places together, the fact that charge sheet has been submitted and the petitioner is in custody for about six months, I am inclined to grant bail to the present petitioner.

Accordingly, I direct that the petitioner, namely Sanju @ Bibek Bera shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Chinsurah, Hooghly and on further condition that the petitioner shall remain within the jurisdiction of the concerned Court and shall report to the Officer-in-Charge of jurisdictional Police Station once in a week until further orders. The petitioner shall appear before the learned jurisdictional Court regularly until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

In the event, the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the jurisdictional Court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)

