

21.11.2025
Serial no. 88
[G.S.D]

CRM (M) 2314 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Usthi Police Station Case No. 229 of 2025 dated 18.05.2025 u/s 103(1)/3(5) of the BNS, 2023 corresponding to GR Case No. 1601 of 2025.**

-And-

In the matter of : Mijanur Laskar

... .. Petitioner(s)

Ms. Minoti Gomes
Mr. Sujan Roy

... for the Petitioner(s)

Mr. Anand Keshari
Mr. Asif Dewan

... for the State-respondent(s)

Md. M. Hossain
Mr. R. Hossain
Mr. M. Rahaman

... for the defacto-complainant

Learned advocate for the petitioner submits that the petitioner is in custody for six months and the investigation have been completed, as such, further detention of the petitioner is unwarranted in view of the prosecution intending to rely upon 24 witnesses in order to prove its case.

Learned advocate for the State opposes the prayer for bail and produces the Case Diary.

It has further been contended on behalf of the State that there are certain overt acts which can be attributed to the present petitioner, as such, his custodial detention is warranted.

Learned advocate for the defacto-complainant also opposes the prayer for bail and submits that the allegation against the petitioner is serious as such his release may affect the trial of the case.

I have considered the materials in the case diary particularly the statement under sections 161/164 of the Cr.P.C. and the witnesses concerned and, on an assessment of the same, I am of the view that the present petitioner is separately situated than the other two accused being Ismail and Kamarul.

Having regard to the complicity of the petitioner, although a case has been made out, but his detention may not be warranted in the facts and circumstances of the case.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, Mijanur Laskar shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the learned ACJM, Diamond Harbour.

If on bail, the petitioner shall not enter the jurisdiction of Usthi Police Station and will inform his address to the local police station as also the learned trial court where he would be residing.

The petitioner should also be physically present on each and every date of the trial so fixed by the learned trial court. The learned trial court would be at liberty to impose further conditions as it deems fit and proper for ensuring proper progress of the trial

In case, there is any violation of the aforesaid conditions, the trial court would be at liberty to cancel the bail without further reference to this court.

Accordingly, CRM(M) 2314 of 2025 is **allowed**.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)