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11-04-2025
(ct. no.04)
S. De
(Allowed)

**THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM (DB) 197 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Mekhliganj Police Station Case No. 47 of 2025** dated **17.02.2025**, under **Sections 329(4)/108/351(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Abdul Mandal & Anr. ...Petitioners.

Mr. Biswarup Roy,
Ms. Supriya Debnath,
Mr. Liton Ali, ...for the Petitioners.

Mr. Nilay Chakraborty, Ld. APP,
Mr. Tapan Bhattacharjee,for the State.

Ms. Srishti Sarkar, ...for the de facto complainant.

1. Learned advocate for the petitioner, learned advocate for the opposite party/State of West Bengal and learned advocate for the de facto complainant are present.
2. Heard learned advocates for the parties.
3. Perused the materials in the case diary.
4. Learned advocate for the petitioners submits that in the particular complaint, the main allegations are against the co-accused persons and there is no specific allegations against the present petitioners.
5. Learned advocate for the opposite party/State of West Bengal submits that earlier, a case was instituted against the relation of the petitioner no.2. Pursuant to the institution of the case, the victim girl was humiliated by the petitioner no.1

and two accused persons for which the victim girl committed suicide.

6. Learned advocate for the de facto complainant objects the grant of bail and submits that the victim girl was humiliated by the accused persons including these two accused persons.
7. Upon perusal of the statement made under Section 164 Cr.P.C. and other materials in the case diary, it appears that although the name of the petitioner no.1 is there in the statement under Section 164 Cr.P.C. but considering the period of detention and the stage of investigation and the fact that the petitioner no.1 is aged about 74 years and the petitioner no.2 is a female accused person, in the interest of justice, the petitioners should be granted bail.
8. I, therefore, allow the prayer for bail made by the accused persons/petitioners.
9. Accordingly, I direct that the petitioner, namely **Abdul Mandal** and **Anju Khatun @ Anju Begam** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of Rs.5,000/-each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj, subject to the conditions that the petitioners upon being released shall not enter into the locality where the de facto complainant resides and shall not meet the persons acquainted with the facts of the case and on further condition that the petitioner no.1 (Abdul Mandal)

shall meet the Officer-in-Charge of the concerned police station once in a week until further orders.

10. In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this court.

11. The application for bail is, accordingly, allowed.

12. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)