

09.04.2025
Item no. 13.
Court No.4.
AB
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (M) 17 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kalchini Police Station Case No.12 of 2025 Dated 02.02.2025 under Section 69/49 of the B.N.S. 2023

And

In the matter of : Sandeep Munda @ Sandy
.....Petitioner.

Mr. Aniruddha Biswas,
Ms. Kanak Mishra,
Mr. Monoj Suhen for the Petitioner.

Mr. A. S. Chakraborty, Id. APP
Mr. Kallol Nag for the State.

1. Learned Advocate for the petitioner and learned Advocate for the Opposite Party/State of West Bengal are present.
2. None appears for the defacto complainant in spite of service of notice.
3. Heard learned Advocates for the parties.
4. Perused the materials in the case diary.
5. Learned Advocate for the petitioner submits that there was a love affair between the petitioner and the defacto complainant and the allegations made under Section 69

B.N.S. 2023 is not attracted as there is no deceitful means adopted by the petitioner.

6. Learned Advocate for the Opposite Party/State of West Bengal objects the grant of bail and relies upon the statement recorded under Section 164 Cr.P.C. and the medical examination report.
7. Upon considering the nature of allegations and the materials on record and the period of detention already undergone by the petitioner, which is 60 days, this Court is of the view that as there is no reasonable apprehension of the petitioner to abscond, he should be released on bail.
8. Thus, the prayer for bail made by the petitioner is allowed.
9. Accordingly, the petitioner, namely **SANDEEP MUNDA @ SANDY** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Alipurduar, and on further conditions that the petitioner upon being released on bail shall report to the Investigating Officer of the case twice in a week until further orders and shall not meet the defacto complainant and the persons acquainted with the facts of the case and shall not do any act prejudicial to investigation.

10. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
11. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
12. The application for bail is, accordingly, allowed.
13. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)