

17.
10-04-2025
(ct. no.04)
S. De
(Allowed)

CRM (M) 31 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 **Dinhata Women Police Station Case No. 22 of 2025** dated **11.03.2025** under **Sections 69/115(2)/351(2)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Chayan Dey. ...Petitioner.

Mr. Sudip Guha,
Ms. Ankita Nag,for the Petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das,for the State.

Mr. Subhasish Misra, ...for the de facto complainant.

1. Learned advocate for the petitioner and learned advocate for the opposite party/State of West Bengal are present.
2. Heard learned advocates for the parties.
3. Perused the materials in the case diary.
4. Learned advocate for the petitioner submits that both the petitioner and the de facto complainant are the employees of Bandhan Bank and there was good relation with them and the petitioner, on refusing to marry the de facto complainant, this case is instituted. The petitioner also submits that he is in custody for 16 days and there is no chance to tamper with witnesses, if released on bail. Learned advocate also relies upon a decision of the Hon'ble Supreme Court in the case of ***Biswajyoti Chatterjee Vs. State of West Bench & Anr.*** arising out of SLP (Crl.) No.4261 of 2024.

5. Learned advocate appearing for the opposite party/State of West Bengal objects the grant of bail.
6. Upon perusing the medical examination report and the statement made under Section 164 Cr.P.C. (Section 183 of B.N.S.S.) and other materials in the case diary and considering the nature of allegation and the period of detention already undergone by the petitioner, I am of the view that in the interest of justice, the petitioner should be granted bail.
7. I, therefore, allow the prayer for bail made by the accused person.
8. Accordingly, I direct that the petitioner, namely **Chayan Dey** 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 Additional Chief Judicial Magistrate, Dinhata, subject to the conditions that the petitioner shall meet the Investigating Officer of the case once in a week until further orders and on further conditions that the petitioner shall not meet the de facto complainant and the persons acquainted with the facts of the case and shall not do any act prejudicial to the investigation.
9. I make it clear that my observations are only in the bail application and will not affect the trial of the case.
10. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the

learned Magistrate shall be at liberty to cancel the petitioner's 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.)