

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

19.08.2025.
Sl. No. 5
Ct.No. 4.
sdas
(Allowed)

C.R.M.(M) 209 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Falakata Police Station Case No. 95 of 2025 dated 26.02.2025 under Sections 316(5)/336(3) of the BNS, 2023 and adding Sections 336(2)/340(2)/61(2) of the BNS, 2023.

In Re : Malin Barman petitioner

Mr. Hillol Saha Podder

...for the petitioner

Mr. Aditi Shankar Chakraborty, learned APP

Mr. Kallol Nag

....for the State

This application for bail has been preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, BNSS) in connection with Falakata Police Station Case No. 95 of 2025 dated 26.02.2025 under Sections 316(5)/336(3) of the BNS, 2023 and adding Sections 336(2)/340(2)/61(2) of the BNS, 2023.

Mr. Saha Podder, learned Advocate appearing on behalf of the petitioner, submits that the charge-sheet has already been filed. The petitioner has been in custody for the past 161 days. He further submits that the petitioner undertakes to comply with all terms and conditions that may be imposed in the event his prayer for bail is allowed.

Mr. Nag, learned Advocate appearing on behalf of the State, produces the Case Diary and opposes the prayer for bail. He submits that the petitioner, being the Panchayat Sahayak, misused his official position and issued forged birth certificates.

Heard the learned Advocates representing the respective parties and perused the materials on record, including the Case Diary.

In the present case, charge-sheet has already been submitted. The petitioner has been in custody for a considerable period of time. There is no likelihood of an early conclusion of the trial. Therefore, taking note of the aforesaid facts, I am of the view that further detention of the petitioner will not serve any useful purpose. Accordingly, the application for bail is allowed.

In view of the above, the petitioner 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, Alipurduar, subject to the conditions that he shall appear before the trial court on every date of hearing until further orders, and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event of any violation of the conditions enumerated in the preceding paragraph, the learned Additional Chief Judicial Magistrate or the learned Trial Court shall be at

liberty to cancel the petitioner's bail in accordance with law, without any further reference to this Court.

This application for bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)