

12.9.2025

Sl.5
Allowed
Samarpita
Court No.4

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

CRM (M) 294 of 2025

In Re: An application under Section 483 of the BNSS,2023 in connection with **Mathabhanga Police Station Case No. 530 of 2025 dated 04.07.2025** under Section 309(3)/126(2)/117(2)/109/103/3(5) of the Bharatiya Nyay Sanhita, 2023corresponding to **G.R. Case No. 1055 of 2025.**

In the Matter of: **Alok Chand Barman @ Alok Chandra Barman**
.... Petitioner

Mr. Sandip Guha Roy,
Mr. Anada Paul,
Mr. Bishal Barman
.. for the Applicant/Petitioner

Ms. Riya Agarwal
.. for the *de facto* complainant

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

1. It is said that this petitioner is absolutely innocent and has been falsely entangled with the offence alleged. This petitioner is in custody since for a considerable period of time and one of the accused persons named in the F.I.R. has already been enlarged on bail and this accused-petitioner stands on the same footing with that accused who has already been granted bail by this Court. So, it is said that this accused-petitioner may be enlarged on bail on considering his detention as well as his involvement with the alleged offence.
2. Mr. Ujjwal Luksom, learned Advocate for the State raises objection by submitting that there are sufficient incriminating materials in the

record which show about *prima facie* involvement of this accused – petitioner with the alleged offence. The attention of this Court is drawn to the statement of the witness recorded by the magistrate and submits that the involvements of the accused- petitioner alongwith the principle accused Biswajit Barman with the offence cannot be ruled out at this stage. So, it is said that the petition filed by the petitioner praying for bail may be rejected.

3. I have considered the rival submissions advanced by both the parties and have gone through the statement of the witness recorded by the Magistrate and have also considered the role involved by this accused- petitioner with the alleged offence. Thus, upon weighing both aspects i.e. the *prima facie* involvement of this accused as reflected from the materials on record, and the significant period of detention already undergone, this Court is of the considered opinion that further custodial detention is not justified. The ends of justice would be adequately secured by enlarging the accused on bail, subject to conditions ensuring his regular attendance before the Court and his cooperation in the ongoing trial.

4. Accordingly, **CRM (M) 294 of 2025** is **Allowed**.

5. In view of the above, the petitioner namely, **Alok Chand Barman @ Alok Chandra Barman** is enlarged on bail on furnishing a bond of Rs. 20,000/- (Twenty Thousand) with two sureties of like amount each subject to the satisfaction of the learned Additional Chief Judicial

Magistrate, Mathabhanga 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.

6. In the event of any violation of the conditions enumerated in the preceding paragraph, the learned Additional Chief Judicial Magistrate, Mathabhanga 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.
7. Urgent Photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Prasenjit Biswas, J.)