

18.11.2025

Item No.DL9
Court No. 4

ALLOWED

Asraf, A.R.(Ct.)

Calcutta High Court

In the Circuit Bench at Jalpaiguri

Criminal Miscellaneous Jurisdiction

Appellate Side

Case No. **CRM (M) 339 of 2025**

In re : An Application for Bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 corresponding to
Section 439 of the Code of Criminal Procedure, 1973
filed in connection with Pradhan Nagar PS case no.604
of 2025 dated 02.09.2025 under Sections 126(2),
117(2), 109, 351(2), 351(3) and 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

-and-

In the matter of :

**SRI VINOD KUMAR YADAV alias BINOD YADAV alias BINOD
KUMAR YADAV**

... ... Petitioner

For the Petitioner :

**Mr. Hillol Saha Podder
Ms. Mousumi Das**

... Advocates

For the State :

**Mr. Ujjwal Luksom
Mr. Chattu Roy**

... Advocates

1. The bail prayer of the petitioner is taken up for consideration.
2. It is submitted by the learned advocate appearing on behalf of the petitioner that there are case and counter-case. The petitioner has also filed counter case and has also sustained injuries. The petitioner is in custody for 77 days. It is further submitted by the learned advocate for the petitioner that the injuries sustained by the injured are

classified as grievous injuries but the same is not on vital part of the body. Learned advocate for the petitioner prays for bail of the petitioner.

3. Learned advocate for the State refers to the injury report and other materials in the case diary. He submits that the investigation is still going on. The petitioner does not deserve to be enlarged on bail.
4. Having heard the submissions made on behalf of the parties and on perusal of the materials available in the case diary including the injury report, it transpired that the injured sustained injury over right hand with fracture of 5th metacarpal coupled with lacerated scalp wound.
5. Considering the nature of injury and also taking into consideration the period of detention undergone by the petitioner, I am inclined to enlarge the petitioner on bail.
6. Hence, the application for bail stands **allowed**.
7. Accordingly, I direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Siliguri, subject to condition that the petitioner shall meet the Investigating Officer of this case once in a fortnight until conclusion of the investigation and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

8. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the Trial Court to cancel the bail without further reference to this Court.
9. CRM (M) 339 of 2025 is thus disposed of.
10. Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Md. Shabbar Rashidi, J.)