

05.02.2026

Court No.35.

D/L. 21.

Kausik

(Allowed)

CRM (M) 140 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Keshiary PS Case
No. 78/2025 dated 14.04.2025 under Section
332(b)/118(1)/117(2)/70(1)/75/76/303(2)/3(5) of the BNS,
2023.

And

In the matter of : Shyamlal Hemram & Ors.

.....Petitioners.

Mr. Abhra Mukherjee
Mr. Tushar Kanti Har
Mr. Arpayan Mukherjee
Mr. Swakshar Kr. Mondal
Mr. Himadree Ghosh

.....for the Petitioner.

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury
Ms. Khadijatul Kubra
Mr. Avijit Chatterjee

....for the Defacto Complainant.

Mr. Arindam Sen
Mr. S. Balial

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioner is in custody for more than 7 and a half months
and the charge sheet has already been submitted.

Learned advocate for the defacto complainant opposes
the prayer for bail and submits that there are previous
antecedents of the present petitioner in respect of similar

nature of offences, as such the release of the petitioner will jeopardize the further progress of the case.

Learned advocate for the State draws the attention of the Court to the case diary particularly the statement of the victim under Section 183 of the BNSS.

I have assessed regarding the statement of the victim under Section 183 of the BNSS and I find that the genesis of the dispute related to fruits of a tree. Prima facie, it appears that the factum of lust is missing in the present case.

Accordingly, I am inclined to release the petitioners on bail. As such the prayer for bail of the petitioners is allowed.

Petitioners, namely, (1) **Shyamlal Hemram**, (2) **Sunil Mandi**, (3) **Siddheswar Mandi**, (4) **Amal Mandi** shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each. One of whom must be local to the satisfaction of Learned ACJM, Kharagpur.

If on bail petitioner shall be physically present before the jurisdictional Court and shall not leave the sub-division of Kharagpur without prior permission of the Court concerned. If on bail the petitioner shall not enter in the jurisdiction of Keshiary Police Station without prior permission of the learned ACJM, Kharagpur.

Accordingly, CRM (M) 140 of 2026 is **allowed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)