

17.04.2026
Court No.35.
M/L. 121.
Kausik

CRM (SB) 10 of 2025

In Re: An Application under Section 483(3) of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Mohanpur
Police Station Case No. 207 of 2024 dated 25.11.2024 under
Sections 117(2)/110/351(2)/5 of BNS.

And

In the matter of : Chiranjit Roy

.....Petitioner.

Ms. Trina Mitra

.....for the Petitioner.

Mr. Md. Adil Badr, Jr. Govt. Adv.
Ms. Sonali Bhar

.....for the State.

Affidavit of service filed be kept with the record.

Records of the case reflect that bail was granted on
28.11.2024 and the said bail was granted by way of an ad-
interim bail on the first day of production of the accused
persons. Petitioner prays for cancellation of the bail of the
private opposite party nos. 2 and 3.

Having considered the order of bail, I am of the opinion
that the learned Magistrate should have taken into
consideration the injury which was inflicted as it is reflected
that 3 stitches were administered upon the injured at a vital
part of the body.

Be that as it may, the petitioners are on interim bail for
about 1 year and 5 months, at this stage, curtailing the liberty

would be interfering with the enjoyment of their liberty, as in the meantime the investigation has arrived at its conclusion and charge sheet has been submitted before the jurisdictional Court.

Having regard to the factum that the incident, when it took place, was of serious nature, the learned Trial Court should not have restricted itself only to the factum whether anybody was hospitalized or not, but also should have taken into consideration the impact upon the society, the aggression whether the conspiracy was pre-planned and thereafter reasoned his order while releasing the petitioners on bail after the arrest of the accused persons.

However, having considered the time period which has lapsed, at this stage, I am not inclined to interfere with the order of bail but the learned ACJM, Barrackpore or the Trial Court in seisin of the case would ensure that the petitioners meet with the Officer-in-Charge of Mohanpur Police Station once in a fortnight till the evidence of the present petitioner who is a witness in the case is over.

With the aforesaid observations CRM (SB) 10 of 2025 is disposed of.

Learned advocate for the State would communicate this order to the learned Court in seisin of the case.

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.)