

18.02.2026
Serial no. 9
[G.S.D]

CRM (M) 130 of 2026

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with Balurghat Police Station Case No. 598 of 2025 dated 03.03.2025 u/s 329(4)/351(2)/64(2)(k) of the BNS, 2023 corresponding to GR Case No. 1872 of 2025 and Sessions Case No. 345 of 2025.

-And-

In the matter of : XXX

... Petitioner(s)

Mr. Kaushik Choudhury
Mr. Tridib Das

... for the Petitioner(s)

Ms. Baishali Basu
Ms. Sima Biswas

... for the State-respondent(s)

Report submitted by the State be kept with the record.

Learned advocate for the petitioner submits that the petitioner is in custody for about five months and is aged about 32 years. According to the learned advocate, the petitioner has been falsely implicated in connection with the instant case.

Learned advocate for the State, on the other hand, opposes the prayer for bail and draws the attention of the court to the statement of the victim under Section 183 of the BNSS, the medical report as also the statement of the different witnesses.

Learned advocate also emphasizes that the victim is subject to mental disability.

I have taken into account the statement of the victim under Section 183 of the BNSS as also the medical report.

On a conjoint reading of the same and taking into account the period of detention, I am of the view that further detention of the present petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, XXX shall be released on bail upon furnishing 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 the learned CJM, Balurghat at Dakshin Dinajpur.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned trial court and shall not leave the district of Dakshin Dinajpur without prior intimation to the learned trial court.

Accordingly, CRM(M) 130 of 2026 is **allowed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)

