

27.03.2026

Court No.35.

D/L. 21.

Kausik

(Allowed)

CRM (M) 310 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 Nandakumar Police
Station Case No. 202 of 2025 dated 21.04.2025 under Sections
126(2)/118(2)/109/103(1)/351(2)/61(2) of BNS.

And

In the matter of : Motilal Das @ Matilal Das

.....Petitioner.

Mr. Milon Mukherjee, Sr. Adv.
Mr. Amal Krishna Samanta

.....for the Petitioner.

Mr. Sanjoy Bardhan
Ms. Pallavi Priyadarshi

.....for the State.

Learned senior advocate appearing for the petitioner
submits that the petitioner is in custody for 9 months and
charges have already been framed.

Learned advocate for the State opposes the prayer for
bail and submits that petitioner was a member of a gang who
were involved in assaulting two individuals who succumbed to
the injuries. To that effect, attention of the Court has been
drawn to the statement of the witnesses who has been
examined under Section 164 of Cr.P.C. I find that specifically
there are two accused persons whose overt act is explicit in the
statement of the witnesses. Petitioner's presence at the spot,
while the incident was in progress, also is evident.

Having regard to the totality of the circumstances and that 14 witnesses are to be examined, although the learned Trial Court has fixed date of 14 witnesses in the next schedule, I am of the opinion that the same may not be possible. Some time will be required by the learned Trial Court to conclude the trial.

Having considered the period of detention, the complicity of the present petitioner and the fact that the case diary do not reflect that there are other antecedents, I am inclined to enlarge the petitioner on bail.

As such the prayer for bail of the petitioner is allowed.

Accordingly, Petitioner, namely, **Motilal Das @ Matilal Das** 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 Additional Sessions Judge, 4th Court, Tamluk, Purba Medinipur.

If on bail, the petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not leave the jurisdiction of District of Purba Medinipur without the prior permission of the Learned Special Court.

Accordingly, CRM (M) 310 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.)