

18.06.2026

Court No.35.

D/L. 10.

Kausik

(Allowed)

CRM (M) 324 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 Ratua Police
Station Case No. 573 of 2025 dated 18.07.2025 under Sections
103(1)/61(2)/3(5) of the BNS, 2023.

And

In the matter of : Kousik Mandal @ Koushik Mandal

.....Petitioner.

Mr. Sabir Ahmed
Mr. Amanul Islam
Mr. Arup Sarkar
Mr. Sourav Mukherjee
Mr. Ijaj Ahmed

.....for the Petitioner.

Mr. Sagar Saha

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for 11 months and has been
implicated in connection with the instant case. It has been
submitted that the case is based on circumstantial evidence.
The petitioner was a driver of the deceased who has been roped
in in the instant case. There are materials to suggest that at
the time claimed by the Investigating Agency/prosecution the
petitioner was not present at the spot and was at a different
location.

Mr. Saha, learned advocate appearing for the State
opposes the prayer for bail and submits that, in a heinous
manner the petitioner is involved in the murder of the

deceased. According to the State, there was a previous rivalry existing between the present petitioner and the deceased. There are tower locations which suggest the presence of the petitioner at the spot where the alleged offence took place. There are witnesses who have last seen the present petitioner in company of the deceased. State prays for rejection of the bail of the present petitioner.

I have taken into account the overall materials of the present case. The case diary also reflects that there are more than 26 witnesses relied upon by the prosecution and till date the case has not been committed to the Court of Sessions. So far as the other accused persons are concerned, there are antecedents of those accused persons. So far as the present petitioner is concerned, prima facie, I find that there are statements under Section 180 of the BNSS, but having considered that the case is based on circumstantial evidence and there are probabilities which may change the texture of the case, I am of the view further detention of the present petitioner is unwarranted in the facts and circumstances of the instant case.

Accordingly, prayer for bail of the petitioner is allowed.

Accordingly, Petitioner, namely, **Kousik Mandal @ Koushik Mandal** 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, Chanchal, Malda.

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

Petitioner shall, once in a month, meet with the Investigating Officer of the case or any Officer assigned by the Inspector-in-Charge of Ratua Police Station till the stage of consideration of charges are over.

With the aforesaid observations CRM (M) 324 of 2026 is **allowed.**

Mr. Sagar Saha, learned advocate was appointed in this case on 06.05.2026 by this Court. His appointment may be regularized by the concerned authorities.

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.)