

27.03.2026

Item No.36

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 339 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Dubrajpur Police Station Case No. 234 of 2024 dated 21.08.2024 under Sections 118(2)/109/75/3(5)/126(2) of the Bharatiya Nyaya Sanhita, 2023 and adding Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Sk. Sanikul @ Sekh Sanikul**

... Petitioner.

Md. Sabir Ahmed,
Mr. Dhiman Banerjee,
Mr. Dilwar Azad

... For the Petitioner.

Mr. Joydeep Biswas,
Mrs. Manasi Roy

... For the State.

Mr. Soumyajit Das Mahapatra,
Mr. Kunal Ganguly,
Ms. Madhurai Sinha,
Ms. Upasana Banerjee

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner was arrested on 21.08.2024 and since then he is in custody. It has been submitted that investigation has been concluded; charge-sheet submitted; charges framed and three witnesses have been examined in chief. According to the petitioner, prosecution intends to examine 23 witnesses as cited in the charge-sheet. As such, petitioner may be released on bail on any stringent condition.

Learned advocate appearing for the *de facto* complainant opposes the prayer for bail and submits that since an application under Section 231 of the Code of Criminal Procedure has been preferred, a delay has occasioned. It has also been submitted that the evidence which has surfaced till date would reflect the overt acts contributed by the present petitioner.

Learned advocate appearing for the State also opposes the prayer for bail.

I have taken into account the genesis of the present offence which relates to a land dispute and raising/construction of boundary wall with the neighbours. There are no antecedents which are available from the case diary so far as the present petitioner is concerned. Some time will be required by the prosecution to complete the evidence. As such, having regard to the overall circumstances of the present case and without entering into the merits of the case, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed.**

Accordingly, the petitioner viz., **Sk. Sanikul @ Sekh Sanikul** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional District and Sessions Judge, Fast Track Court, Dubrajpur at Birbhum.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Trial Court and shall not enter the sub-Division of Dubrajpur except for the purposes of attending the Trial Court.

The petitioner shall further attend the local police station where he would be residing once in a fortnight. The concerned police station will once in a month report the attendance of the present petitioner to the learned Trial Court.

The application for bail, being CRM (M) 339 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)