

25.02.2026
Court No.35.
D/L.242
Rakib
(Allowed)

CRM (M) 461 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Islampur Police Station case no. 135 of 2025 dated 07.03.2025 under Sections 126(2)/117(2)/118(2)109/74/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Tiyaarul Sk @ Tiarul Sk.

.....Petitioner.

Mr. Arnab Chatterjee
Mr. Avik Ghosh

.....for the Petitioner.

Mr. Joydeep Biswas
Mr. Sobhan Gani

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for 11 months and five persons have been implicated in the charge-sheet. Petitioner is also named as an accused.

Learned advocate for the State opposes the prayer for bail and draws the attention of the Court to the statement of the witnesses along with the post-mortem report.

I have taken into account the statement of the one of the eye witnesses under Section 183 of the BNSS. The same reflects that the genesis of the dispute was with regard to a goat having destroyed a guava tree.

Having considered the genesis of the dispute and the fact that the incident arose out of sudden provocation, I am of the view further detention of the petitioner is unwarranted in the facts and

circumstances of the present case as there is no possibility of the trial concluding in near future. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, petitioner namely, **Tiyarul Sk @ Tiarul Sk** 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad.

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

Accordingly, the prayer for bail in CRM (M) 461 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.)