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30.03.2026
Bpg.
Allowed

C.R.M. (M) 494 of 2026

In Re: An application for bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS) and under Section 439 of the Code of Criminal Procedure 1973 filed in connection with Jalangi Police Station Case No.197 of 2024 dated 20.06.2024 under Sections 341/325/326/302/34 of the Indian Penal Code;

Lukman Sk
Versus
The State of West Bengal

Mr. Biswajit Hazra
Mr. Archisman Sain.
...for the petitioner.

Mr. Avishek Sinha
Mr. Mainak Gupta.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 22.06.2024, charge-sheet has been submitted, prosecution has relied upon 28 witnesses in order to prove its case and till date charges have not been framed. As such, the petitioner may be released on bail on any stringent conditions.

Learned advocate for the State opposes the prayer for bail and submits that some of the accused persons were absconding which contributed to the delay for committal of the case to the court of sessions. Presently, the prosecution is ready to progress with the trial after the charges are framed. Attention of the Court was drawn to the statement of the witnesses under Section 164 of the Cr.P.C. Learned advocate for the State also submits that seizure of the offending weapon was made pursuant to the statement of the

present petitioner. There are materials so far as the present petitioner is concerned and his complicity in the alleged offence which resulted in the death of the deceased.

So far as the nature of the weapons which have been collected by the prosecution in course of the investigation and genesis of the dispute relating to land dispute, as also the fact that the case diary do not contain any material of previous criminal antecedent of the present petitioner, I am inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Lukman Sk shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned CJM, Murshidabad at Berhampore.

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 district of Murshidabad without prior permission of the learned trial court. The petitioner shall not enter the jurisdiction of Jalangi Police Station till further orders of this Court. Prior to his release, the petitioner shall inform the address where he would be residing and would meet with the Officer-in-Charge of the said police station once in a week for a period of six months. The Officer-in-Charge will submit a report before the jurisdictional court regarding the attendance of the present petitioner once in a month. If there is any violation of the conditions, the concerned Officer-in-

Charge would be at liberty to pray for cancellation of the bail. In such circumstances, the jurisdictional court would cancel the bail without further reference to this Court.

With the aforesaid observations, CRM(M) 494 of 2026 is allowed.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)