

23.03.2026

Serial no. 08

[Srimanta]

(*Bail allowed*)

Court-237

CRM (M) 548 of 2026

In re : An Application for **Bail** under Section **483** of the Bharatiya Nagarik Sureaksha Sanhita, 2023 read with Section **439** of the Code of Criminal Procedure in connection with **Bhagawanpur** Police Station Case No. **123** of **2019** dated **21.06.2019** under Sections **147/148/149/186/332/35/307/506** of the Indian Penal Code corresponding to S. C. Case No. **597/2021**

-And-

In the matter of : Khokan Bera

... .. Petitioner

Mr. Prasanta Kumar Pakrashi, Advocate

... .. *For the Petitioner.*

Mr. Dipankar Paramanick, Advocate

... ..*For the State.*

Bhagawanpur Police Station Case No. 91/2019, registered against the petitioner under Sections 341, 323, 325, 307, and 34 of the Indian Penal Code, read with Section 9(B) of the I.E. Act, was instituted against the petitioner on May 18, 2019. The petitioner was arrested in connection with the said case on February 4, 2026.

The First Information Report (FIR) in the present case against the petitioner was lodged on June 21, 2019, and the charge-sheet was filed on December 31, 2020. The petitioner surrendered before the learned Additional Sessions Judge, 1st Court, Contai, on January 24, 2020, and was granted bail on the same date. It appears that the petitioner thereafter absconded; consequently, a warrant

of arrest was issued against him on June 2, 2023. The petitioner was, however, shown as arrested in connection with the present case on February 4, 2026.

His application for bail was rejected on the same date by the learned Additional Sessions Judge, 1st Court, Contai, in view of the fact that the petitioner had remained absconding for a considerable period.

Learned counsel appearing on behalf of the petitioner submits that, owing to a miscommunication between the petitioner and his counsel, the petitioner failed to appear before the trial court on the scheduled dates.

Learned counsel appearing for the State has strongly opposed the prayer for bail.

Notwithstanding the above, this Court is of the view that, since the petitioner had previously been granted bail in connection with the present case on January 24, 2020, and there appears to be a reasonable explanation for his non-appearance before the trial court, the prayer for bail ought to be allowed.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of the like amount each, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, 1st Court, Contai, Purba Medinipur.

It is further directed that the petitioner shall appear before the learned trial Court on every date of hearing until further orders and shall not intimidate any witnesses or tamper with evidence in any manner. Failure on the part of the petitioner to comply with the aforesaid conditions shall entitle the learned trial Court to cancel the bail granted to the petitioner in accordance with law, without any further reference to this Court.

Accordingly, CRM(M)/548/2026 stands **allowed**.

(Kausik Chanda, J.)