

27.04.2026
Ct. 35/sl 120
tkm

CRM (M) 632 of 2026

In Re : An application for bail under Section 483 of the BNSS 2023 in connection with Jiaganj PS case no. 475 of 2025 dated 20.12.2025 under sections 103(1)/61 BNS.

And

In Re : Swapan Mandal

..... petitioner

Allowed

Mr. Sekhar Basu, Sr. Adv.
Mr. D Basu

..... for the petitioner

Mr. Antarikhya Basu,
Mr. Sobhan Gani

..... for the State

1. Learned senior advocate for the petitioner submits that the petitioner is in custody for 129 days. Investigation is complete and charge sheet has already been submitted before the jurisdictional court. Prosecution has relied upon 26 witnesses in order to prove its case. As such some time may be consumed for taking the trial to its logical conclusion and petitioner may be released on bail on any stringent condition.

2. Learned advocate for the State produces the case diary and opposes the prayer for bail. It has been submitted that the deceased and the present petitioner were last seen together while entering the office of the petitioner. Body of the victim was subsequently traced out in the road in a condition wherein no wearing apparels were available. Mobile phone and the sandals were recovered subsequently from the office of the petitioner. One of the witnesses has stated that the petitioner was alone leaving the office.

3. I have taken into account the materials appearing in the case diary including the post mortem report. Doctor's opinion reflects that 'death was due to the effects of hanging as noted above, ante mortem in nature'. At this stage it would be premature to comment the manner in which the victim's life was terminated. However, expert has given his opinion which is subject to further interpretation in course of the trial. The post mortem report under other columns also do not reflect any foul play so far as the assault on the victim or any injury is appearing on the body of the deceased. Having considered the overall circumstances of the case and without entering into the merits, prima facie the basic principles of law being an accused is presumed to be innocent, some benefit is to be extended to the petitioner, as such I am inclined to release the petitioner on bail.

4. Accordingly, the petitioner namely Swapan Mandal be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned ACJM Lalbagh, Murshidabad. If on bail, the petitioner shall be physically present on each and every date of hearing before the jurisdictional court and shall not leave the district of Murshidabad without prior permission of the trial court.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

6. With the aforesaid observation, CRM (M) 632 of 2026 is allowed.

(Tirthankar Ghosh, J.)