

17.04.2026
Court No.35.
M/L. 116.
Kausik

CRM (M) 3 of 2025

In Re: An Application for Cancellation of Bail under Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Salar PS Case No. 337 of 2024 dated 15.10.2024 under Sections 103(1)/61(2) of the BNS and Section 9(b) of the I.E. Act.

And

In the matter of : Reba Bibi

.....Petitioner.

Mr. Manas Kumar Das
Mr. Aritra Kumar Thokdar
Mr. Prabal Das

.....for the Petitioner.

Ms. Zareen N. Khan
Mr. Atif Ahmed Siddiqui

.....for the State.

Learned advocate appearing for the petitioner challenges the order of bail granted by the learned Additional Sessions Judge, Kandi, Murshidabad on 18.02.2025 in CMC No. 32 of 2025.

Learned advocate submits that the accused persons hurled bomb, assaulted the victim/deceased mercilessly which not only resulted in physical injuries but also led towards haemorrhage of the internal organs.

Learned advocate for the State has produced the case diary.

I have taken into account the injury report as well as the post-mortem report. Learned Sessions Judge while granting bail took into account the materials appearing in the case diary as also the factum that there is less possibility of the trial commencing as other accused persons had been absconding. The findings in the order dated 18.02.2025 do not prima facie reflect that there was complete non-application of mind or the learned Sessions Judge did not take into account the materials appearing in the case diary as there was reflection in the order sheet relating to pertinent materials. The accused/opposite party is on bail for more than a year.

Learned advocate for the petitioner submits that there was misuse of liberty. However, having considered the fact that the learned Sessions Court, while granting bail, took into account all the probable causes relating to the merits (limited for the purposes of bail) which, this Court may not agree to. But, at the same time, it has to be considered whether the order is wholly perverse thereby calling for interference.

Having regard to the reasonings of the learned Sessions Judge, I am of the opinion there was application of mind and the discretion exercised by way of reasonings, consequently, I am not inclined to interfere with the order of bail. Further, having regard to the manner in which the life of the victim was terminated, I direct that till further orders, the accused persons be directed to meet with the Officer-in-Charge/Inspector-in-Charge, Salar Police Station once in a fortnight till further orders of this Court.

With the aforesaid observations CRM (M) 3 of 2025 is disposed of.

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.)