

15.06.2026
Court No.35.
D/L.35.
Rakib
(Allowed)

CRM (M) 1186 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 Liluah Police Station case No. 559 of 2025 dated 31.10.2025 being T.R. Case No. 10 of 2026 under Sections 329(3)/115(2)/117(2)/303(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 8/12 of the POCSO Act.

And

In the matter of : Sanjay Banerjee @ Babusona.

.....Petitioner.

Mr. Toslim Ali

.....for the Petitioner.

Mr. L. Vishal Kumar

Mr. Amartya Mohan Bhattacharyya

.....for the State.

Mr. Sagnik Bhattacharya

.....for the de-facto complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since November, 2025 and charge has already been submitted. The genesis of the dispute arose relating to property matters and the present petitioner has been implicated along with his brothers in connection with the instant case.

Learned advocate for the de-facto complainant opposes the prayer for bail and submits that the present petitioner is the one who inflicted the vital blow, the injuries are serious and the presence of the petitioner itself would be a threat for the evidence to be deposed by the vulnerable witnesses.

Learned advocate for the State produces the Case Diary, draws the attention of the Court to the injury report as well as the statement of the victim.

I have taken into account the period of detention of the present petitioner and the fact that charge-sheet has already been submitted, the issue of dispute and the fact that the prosecution intends to rely upon 11 witnesses in order to prove its case.

Having considered the period of detention of the present petitioner and the fact that some time will be required to take the trial to its logical conclusion, I am inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, the petitioner, namely, **Sanjay Banerjee @ Babusona** 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 Chief Judicial Magistrate, Howrah.

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

Additionally, petitioner shall not enter into the jurisdiction of Liluah Police Station without prior permission of the learned trial Court or the Officer-in-Charge of Liluah Police Station.

In case, there are any violation of the conditions, the learned Court in seisin of the case would be at liberty to cancel the bail of the petitioner without further reference of this Court.

Accordingly, CRM (M) No. 1186 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.)