

11.06.2026

Court No.35.

D/L. 81.

Kausik

(Allowed)

CRM (M) 1303 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Berhampore Police
Station Case No. 36 of 2026 dated 05.01.2026 under sections
64(2)(k) of the BNS, 2023.

And

In the matter of : Sagar Saha

.....Petitioner.

Mr. Soupal Chatterjee
Mr. Prabir Kr. Das
Mr. Anupam Das
Mr. Madhumita Chatterjee

.....for the Petitioner.

Mr. Krishnendu Bhattacharya, APP
Mr. Anurag Sardar

.....for the State.

Memo of Evidence submitted by the State be kept with
the record.

Petitioner is in custody for more than 5 months. Charge
sheet has already been submitted. As such, the learned
advocate for the petitioner prays for bail.

Learned advocate for the State opposes the prayer for
bail and submits that the charge sheet which has been
submitted in connection with the instant case speaks volumes
as the accused is of 22 years of age and the victim lady is aged
about 70 to 75 years.

I have taken into account the materials appearing in the case diary and I do not find that any statement under Section 164 Cr.P.C. of the victim could have been recorded, or has been recorded. Neither the medical report is available as the victim refused medical examination. Although, medical evidence is a corroborating evidence and may not in all circumstances be required, but having considered the genesis of the case and the age of the present petitioner as also the factum that some more time will be required to take the trial to its logical conclusion, I am of the view further detention of the petitioner may not be warranted.

As such, the prayer for bail of the petitioner is allowed.

Accordingly, Petitioner, namely, **Sagar Saha** shall furnish 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 CJM, 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 jurisdiction of District of Murshidabad without prior permission of the learned Trial Court.

Additionally, petitioner shall not enter the jurisdiction of Berhampore Police Station without prior permission of the Court except for the purposes of attending the Court proceedings.

With the aforesaid observations CRM (M) 1303 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.)