

16.06.2026

Item No.46

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 1374 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Usthi Police Station Case No. 73 of 2025 dated 07.02.2025 under Sections 103/61(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25/27 of the Arms Act, 1959 (G.R. Case No. 369 of 2025).

And

In Re : **Moloy Manna**

... Petitioner.

Mr. Soubhik Mitter,
Ms. Rajnandini Das,
Mr. Karan Bapuli,
Mr. Narattam Acharyya

... For the Petitioner.

Mr. Moyukh Mukherjee,
Mr. Arnab Sau

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 1 year 4 months. Prosecution has relied upon 31 witnesses in order to prove its case and till date, only 2 witnesses have been examined. It has been contended that petitioner has been falsely implicated in the instant case as petitioner was employed with one Khokan Mondal who had rivalry with the deceased.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that there are materials so far as the present petitioner is concerned. His name transpires in the statement of eyewitness under Section 161 of the Code of Criminal Procedure as well as under Section 164 of the Code of Criminal Procedure. It has

been contended on behalf of the State that so far as the prosecution case is concerned, the present petitioner was provided with real time update and was in communication with the sharp shooters as well as the other accused who has been implicated in connection with the instant case.

I have taken into account the materials appearing in the case diary. So far as the theoretical part is concerned, there may be perception of the prosecution regarding the case which has been designed, but so far as the admissible evidence is concerned, I am of the opinion that the same is wanting. As such, without entering further into the merits of the case, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Moloy Manna** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24-Parganas.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the district of South 24-Parganas without prior permission of the learned Trial Court.

The petitioner shall meet with a police personnel assigned by the Officer-in-Charge, Usthi Police Station once in a month till further orders of this Court.

The application for bail, being CRM (M) 1374 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)