09.10.2026
cm/sdas
ct 33
sl no.21

C.R.M. (M) 2025 of 2026

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tehatta P.S. Case No. 700 of 2025 dated 06.09.2025 under Sections 103(2)/109/118(2)/190/191(2)/191(3)/326(g)/329(4) of the Bharatiya Nyaya Sanhita, 2023.

Allowed

In Re : Uttam Mondal & Ors.

..... petitioners

Mr. Milon Mukherjee, Ld. Sr. Adv.
Mr. Anarul Islam
Mr. Sourav Mukherjiee
Mr. Gourav Roy

..... for the petitioners

Mr. Pradip Banerjee, learned APP
Ms. Tanusree Kar

..... for the State

1. Learned Advocate representing the petitioners submitted the present petitioners who had been arrested on suspicion of mob lynching caused to the deceased persons, who had been assumably involved in kidnapping and murder of one 8½ year old child. Out of rage and fury the victims had been mob lynched to death and the present petitioners were suspected to be a part of the entire group who had been involved in the assault of the victims, who ultimately succumbed to the injuries. The petitioners had been in custody since 9th September, 2025, though charge-sheet had been submitted in the instant case. However, the case has not been committed and the possibility of trial to be completed is remote in recent time.

2. Learned Advocate representing the State opposes the prayer for bail claiming the active role of the present

petitioners in the alleged offence and the trial to have not been commenced, will result in prejudice to the prosecution if the petitioners is released on bail.

3. Considering the narrative of the complaint, the statements recorded under Section 183 of the BNSS and the period of detention, the chances of immediate trial to commence being remote, the prayer for bail of the petitioners is considered and allowed.

4. Accordingly, the petitioners be released on bail upon furnishing a bond of Rs.25,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Tehatta, Nadia, on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioners shall meet the local police station once in a week until further orders.

5. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

6. The application being CRM(M) No. 2025 of 2026 is allowed and disposed of.

(Ananya Bandyopadhyay, J.)