09.10.2026
cm
ct 33
sl no.42

C.R.M. (M) 2103 of 2026

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Murutia P.S. Case No. 216 of 2025 dated 13.08.2025 Sections 109/117(2)/126(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 added Section 103 of the Bharatiya Nayay Sanhita.

Allowed

In Re : Samar Mondal & Anr.

.....

petitioners

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Joydeep Biswas
Mr. Asraf Mondal
Mr. Koushik Ghosh

..... for the petitioner

Mr. Pritam Roy
Ms. Triparna Roy

..... for the State

1. The learned advocate representing the petitioners referred to an order dated 4th February, 2026 passed by the coordinate Bench of this Court in CRM(M) 47 of 2026 whereby the coordinate Bench of this Court had granted liberty to the petitioners to approach this Court after the charges to have been framed. The learned advocate representing the petitioners further referred to an order No. 1 dated 23rd July, 2026 whereby the charges had been framed in connection with C.S. 52 of 2026 arising out of S.T. 27 of 2026 in connection with Murutia PS case No. 216 of 2025 dated 13th August, 2025. The learned advocate representing the petitioners relying upon the order of the

Coordinate Bench of this Court as aforesaid sought for renewal the prayer for bail.

2. The learned advocate representing the State submitted though the charges have been framed, trial is yet to commence. Moreover, CSW 11 being son of the deceased victim had been the vital witness who had recorded the statement of the victim through videography. The C.S.W. 11 had also been the eye witness to the alleged incident of evidence.

3. Considering the observation of the coordinate Bench of this Court as aforesaid to seek for renewal of the prayer for bail after the charges are framed, further custody of the petitioner is not required in the instant case and the prayer for bail of the petitioner 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 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. 2103 of 2026 is disposed of.

(Ananya Bandyopadhyay, J.)