

03.02.2026
Serial no. 123
[G.S.D]

CRM (M) 2071 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Gazole Police Station Case No. 392/2025 dated 23.04.2025 u/s 103(1) of the BNS, 2023.**
-And-

In the matter of : Abhishek Das Sarkar @ Rahul

... Petitioner(s)

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

... for the Petitioner(s)

Mr. Prasun Kr. Dutta
Mr. Karan Bapuli

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for more than ten months. According to the learned advocate, there were certain provocations as a result of which the incident happened.

Learned advocate for the State opposes the prayer for bail and draws the attention of the court to the statement of the witnesses as also the post-mortem report.

I have taken into account the period of detention and the fact that charges have been framed.

Having considered that there are no antecedents of the present petitioner and, *prima facie*, it reflects that the incident occurred at the spur of the moment, I am of the view that further incarceration of the present petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, Abhishek Das Sarkar @ Rahul 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 CJM, Malda.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned trial court and shall not leave the jurisdiction of the district of Malda without prior intimation to the learned trial court.

Accordingly, CRM(M) 2071 of 2025 is **allowed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

