

20.02.2026

Court No.35.

D/L.15

Rakib

(Allowed)

CRM (M) 2089 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dholahat Police Station case no. 106 of 2023 dated 096.03.2023 under Sections 341/447/325/326/307/302/506/34 of the Indian Penal Code.

And

In the matter of : Badal Naskar.

.....Petitioner.

Mr. Karan Bapuli

.....for the Petitioner.

Mr. Arijit Ganguly

Ms. Singdha Saha

.....for the State.

Supplementary affidavit filed by the petitioner be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for two years 11 months. There is a long standing dispute between the family of the petitioner and that of the de-facto complainant relating to common passage. The incident complained of from the statement of the eye-witnesses, prima facie, reveal that there was a deficiency in anger management in respect of the family members of both the sides wherein family members of the petitioner was able to overpower that of the victim/deceased's family. The nature of weapons which have been allegedly used are commonly available.

The genesis and the foundation of the dispute arise from a common passage and that number of persons were involved where there were certain overt acts but at the same time one has to see

that after a period of two years eleven months only one witness has been examined and prosecution intends to cite 17 witnesses. As such I am of the view that there is no possibility of the trial concluding in near future, thus petitioner may be released on bail on certain stringent conditions.

Accordingly, petitioner namely, **Badal Naskar** 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 Additional Chief Judicial Magistrate, Kakdwip, South 24 Parganas.

If on bail, the petitioner shall be physically present on each and every date before the learned trial Court in seisin of the case and shall not leave the jurisdiction of district of South 24 Parganas without the prior permission of the learned Court.

Additionally, petitioner shall not enter into the jurisdiction of Dholahat Police Station. Petitioner shall inform his place of residence during the course of trial to the learned trial Court and meet with the Officer-in-Charge of the said police station once a week and submit the acknowledgement to the learned trial Court on each and every months irrespective of whether any date is fixed by the learned trial Court.

Accordingly, the prayer for bail in CRM (M) 2089 of 2025 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.)