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05-10-2026
(ct. no. 34)
nb
(allowed)

CRM(M) 2531 of 2026

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Hare Street Police Station Case No.0285 of 2025 dated 12-12-2025 under Sections 120B(2)/409/420/467/468/471 of the IPC.

- A n d –

In the matter of : Bikash Bhattacharjee

.... Petitioner.

Mr. Uday Sankar Chattopadhyay,
Ms. Trisha Rakshit,
Ms. Rajashree Tah,
Ms. Hishwarya Datta,
Ms. Sadia Parveen,
Ms. Bidisha Chakraborty,
... For the Petitioner.

Dr. Achin Jana,
Mr. Amartya Mohan Bhattacharya,
... For the State.

1. It is submitted by the learned counsel represented the petitioner that he is now entitled for default well as he is in custody for more than 90 days. It is further submitted that on account of an impasse took place at Bankshall Court for which no judicial functioning is going on. Therefore, the petitioner is not in a position to place his own case.

2. On behalf of the State it is candidly submitted that the statutory period of 90 days has expired.

3. On merit, it is submitted that he is mastermind behind the entire incident that has been committed, which involved more than one crore.

4. Having heard both the learned counsel and upon careful consideration material on record it appears that the statutory period prescribed under section 187BNSS has expired on date and admittedly no chargesheet/final report has been submitted before the Learned Court below.

5. It is well settled that upon expiry of such statutory period and indefeasible right accrues in favour of the accused to be released on bail. Therefore without entering into the merit of this case, this court is prima facie of the opinion that since the period of detention has expired no specific and the charge sheet has not been submitted within the period the present petitioner is entitled to be released on bail.

6. Accordingly, the petitioner **Bikash Bhattacharjee** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Calcutta subject to the condition ,

> a) The petitioner shall not intimidate the witnesses and/or temper with evidence in any manner whatsoever

and shall not commit any cognizable offence in any manner whatsoever.

b) The petitioner shall appear before the officer-in-charge of the local police station once in a week, until further orders.

c) In the event, the petitioner failed `
to comply with any of the condition stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

7. The application for bail is, thus, **allowed**.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Chaitali Chatterjee (Das), J.]