

11.02.2026
Serial no. 212
[G.S.D]

CRM (M) 2452 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 **S. Sl. No. 253 of 2025 arising out of Lalgola PS Case No. 881 of 2024 dated 26.08.2024 under sections 103(1)/61(2)/238/3(5) of BNS, 2023 (GR No. 4109 of 2024).**

-And-

In the matter of : Mijanur Sk. @ Mijanur Rahaman

... Petitioner(s)

Mr. Milon Mukherjee, Sr. Adv.
Mr. U. A. Dewan
Mr. Asif Dewan

... for the Petitioner(s)

Ms. Rituparna Ghosh
Ms. Diksha Ghosh

... for the State-respondent(s)

Ms. Susmita Das
Md. Muslehuddin

... for the defacto-complainant

Mr. Mukherjee, learned Senior Advocate, appearing for the petitioner submits that the petitioner was not named in the charge-sheet but the learned court while taking cognizance of the offence was pleased to issue process against the present petitioner. According to the learned advocate, warrant of arrest was challenged. Pursuant to the same, the petitioner surrendered before the learned Magistrate when he was taken into custody. The petitioner is in custody since 26th June, 2025.

Learned advocate for the State has drawn the attention of the court to the statement of the witnesses under Section 183 of the BNSS.

I have assessed the same and I find that the manner in which the statement have been presented include Khayer Sk. and his three sons. It has been claimed that Khayer Sk. has five sons and two of the sons have been named in the other statement under Section 180 of the BNSS by some of the witnesses concerned. So far as the name of the other son is concerned, the same is not appearing in the materials collected by the investigating agency.

However, the petitioner is in custody, *initially*, the petitioner was not in the charge-sheet and the Supplementary Charge-sheet do not name the present petitioner also.

Having considered the overall circumstances, I am of the view that further detention of the present petitioner is not warranted.

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

Accordingly, the petitioner viz, Mijanur Sk. @ Mijanur Rahaman 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 ACJM, Lalbagh.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned court and shall abide by the directions passed by the learned court.

Accordingly, CRM(M) 2452 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.)