09.11.2026
Ct. No. 7
SL No. 11
SB

C.R.M. (M) 2709 of 2026

In Re: - An application for bail under Section 483 of B.N.S.S. 2023, in connection with **Usthi** P.S. Case No. 73 of **2025** dated 07.02.2025 under Sections 103/61(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25/27 of the Arms Act, 1959.

And

In the matter of: Debasish Dutta @ Mithu

Mr. Soubhik Mitter
Ms. Rajnandini Das
Mr. Karan Bapuli … for the petitioner

Mr. Koustav Bagchi
Ms. Tanusree Kar … for the State

1. Mr. Mitter, learned advocate appearing for the petitioner, submits that the two co-accused persons are on the same footing as the present petitioner and have already been enlarged on bail. He further submits that the charge-sheet has been submitted, wherein 31 persons have been cited as witnesses. There is no likelihood of an early conclusion of the trial. In view thereof, he submits that the petitioner may be released on bail, as he is similarly placed as the other accused persons who have been granted bail in CRM(M) 1374 of 2026.
2. Mr. Bagchi, learned advocate representing the State, produces the Case Diary and opposes the prayer for bail. In answer to my query, he fairly submits that the petitioner stands on the same footing as the co-accused persons who have already been enlarged on bail.
3. Heard the learned advocates appearing for the respective parties and perused the Case Diary and other materials on record.
4. There is no likelihood of an early conclusion of the trial, and I am of the view that further detention of the petitioner in custody would amount to pre-trial punishment.
5. Under such circumstances, I am inclined to grant bail to the petitioner.

6. Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/- with two sureties, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24-Parganas. The petitioner shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the district of South 24-Parganas without prior permission of the learned Trial Court, and also subject to the condition that the petitioner shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
7. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.
8. The application for bail is, thus, allowed and disposed of.

(Partha Sarathi Chatterjee, J.)