30.10.2026
Court No.8
S/L 37
SD

CRM (M) 2843 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Shibdaspur Police Station Case No.80 of 2025 dated 15.05.2025 under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

In the matter of: Sk. Farhad Mondal

... Petitioner.

Mr. Kaustav Bagchi
Mr. Debayan Ghosh
Mrs. Priti Kar Bagchi

... for the Petitioner.

Mr. Gouranga Kumar Das
Mr. Amal Kumar Datta
Ms. Anita Pandey

... for the State.

1. Learned advocate appearing for the petitioner submits that the petitioner is in custody for 533 days and the case is based on circumstantial evidence. There is no possibility to conclude the trial in the near future, as such, the petitioner may be released on bail.

2. Learned advocate for the State opposes the prayer for bail and draws the attention of the court to the postmortem report. The postmortem report reflects that the death was due to head injury.

3. Attention of the Court was also drawn to the statement of one of the witnesses who was present prior to the incident.

4. I have taken into account the genesis of the case. The petitioner was a lease-holder of a mango orchard where it is claimed that the deceased along with others went surreptitiously to pluck mango which was discovered by the present petitioner and as such he chased and assaulted the accused persons. Subsequently, it has been submitted that the dead body of the deceased was discovered.

5. Having considered the genesis of the case and there are no criminal antecedents of the present petitioner and the incident happened because of the issue relating to plucking of mango, I am of the opinion that further detention of the present petitioner is unwarranted and as such, I am inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is **allowed.**

6. Accordingly, the petitioner, namely, **Sk. Farhad Mondal** 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, Barrackpore.

7. If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not leave the jurisdiction of district of North 24 Parganas without prior permission of the learned jurisdictional court.

8. Thus, CRM (M) 2843 of 2026 is **allowed**.

9. Memo of evidence submitted by the State be kept with the record.

10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)