

22.01.2026
Serial no. 23
[G.S.D]

CRM (M) 18 of 2026

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 **Habibpur Police Station Case No. 327/2016 dated 26.08.2016 corresponding to Sessions Case No. 124/2018 R-125 of 2018 u/s 392/397 of the IPC.**

-And-

In the matter of : Gopal Mallick @ Dom

... Petitioner(s)

Mr. Kazi M. Rahman

... for the Petitioner(s)

Mr. Sanjoy Bardhan
Mr. Amanul Islam

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner was earlier granted bail, but, subsequently, could not appear before the court, as such, warrant of arrest was issued. Subsequently, he has been arrested and is in custody for ten months. Learned advocate prays that the petitioner may be released on bail on any stringent condition.

Learned advocate for the State, on the other hand, opposes the prayer for bail and submits that out of the 12 witnesses proposed to be examined by the prosecution, two witnesses have already been examined and the evidence of the case is in progress. According to the learned advocate, the trial could not proceed only because of the present accused evading the process of law.

I have taken into account the materials appearing against the present petitioner and the series of antecedents which have been brought to the notice of this court.

Having regard to the period of detention of the present petitioner, I am inclined to enlarge the petitioner on bail.

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

Accordingly, the petitioner viz, Gopal Mallick @ Dom 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 CJM, Malda.

It is directed that in this case the local surety must be of a person who would deposit the title deed of a property within the jurisdiction of Habibpur Police Station.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned trial court and shall not leave the district of Malda without prior intimation to the learned trial court.

Accordingly, CRM(M) 18 of 2026 is **allowed.**

Pending application(s), if any, is also disposed of.

Report submitted by the learned advocate for the State be kept with the record.

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.)