

27.01.2026
Court No.35.
D/L.31.
Rakib
(Allowed)

CRM (M) 19 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Beldanga Police Station case no. 32 of 2025 dated 19.01.2025 under Sections 103(1)/109/115(2)/118(2)/126(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Babai Ghosh @ Bapi @ Bapi Ghosh

.....Petitioner.

Ms. Arushi Rathore

.....for the Petitioner.

Mr. Sanjay Bardhan

Ms. Nahid Ahmed

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than one year and in course of the progress of the case 6 witnesses have already been examined by the learned trial Court, prosecution intends to examine large number of witnesses and there is no possibility of the trial concluding very soon.

Learned advocate for the State on the other hand submits that prosecution intends to examine 20 witnesses, so far as the weapon which was used for inflicting injuries upon the deceased was sharp edged weapon. There is every possibility of the trial being concluded soon, as such release of the petitioner on bail would jeopardize the trial.

I have taken into account the facts of the present and its genesis which emerges from disruption of water supply. The

accused and the de-facto complainant as also the deceased are neighbours. From a trivial dispute due to circumstances which was blown out of proportion, it resulted in the unfortunate incident.

Having regard to the period of detention of the present petitioner and the fact that the investigating officer could not apprise this Court whether there has been any similar antecedents of criminal offences of the present petitioner, I am of the view that further detention of the petitioner is unwarranted. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, petitioner namely, **Babai Ghosh @ Bapi @ Bapi Ghosh** 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 Chief Judicial Magistrate, Murshidabad at Berhampore.

If on bail, the petitioner shall be physically present on each and every date before the learned trial Court in seisin of the case and shall not leave the jurisdiction of district of Murshidabad without the prior permission of the learned trial Court.

As such, the application for bail being CRM (M) No. 19 of 2026 is **allowed**.

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

Case Diary be returned to the learned advocate for the State.

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

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

(Tirthankar Ghosh, J.)