

GR Case No- 456 of 2024

CIS No. 331 of 2025

Order Dated: 06.02.2026

Record is put up on the prayer of the Ld. Advocate for the accused.

It is submitted on behalf of the accused that he has been shown arrested in connection with the present case pursuant to the prayer made by the Officer-in-Charge, Beldanga Police Station. It further transpires from the record that the accused is already in judicial custody at BCC Home, Berhampore, Murshidabad in connection with Beldanga P.S. Case No. 131 of 2018 dated 02.04.2018 under Sections 489B/489C IPC, and that he has been forwarded to the Court of Ld. Special Judge (L.E. Act) cum Additional District & Sessions Judge, Berhampore.

The present prayer of shown arrest has already been allowed by this Court, and the custody of the accused in the present case is thus only formal in nature, as he was not physically arrested in connection with this case but is already lodged in judicial custody in another case.

I have perused the case record and considered the submissions advanced. At this stage, it appears that the investigation in the present case does not require further custodial interrogation of the accused. There is no material placed on record to show that the accused, if released on bail in this case, would tamper with evidence, influence witnesses, or evade the process of law, particularly when he is already facing trial and is in judicial custody in another case.

It is well settled that bail is the rule and jail is the exception, and detention pending trial should not be resorted to unless the same is necessary for the purpose of investigation or to secure the presence of the accused before the Court. Since the accused has been shown arrested only formally in the present case and his custody is already governed by orders passed in another case, continued detention in this case serves no useful purpose.

Considering the nature of the allegation, the stage of the case, the fact of formal shown arrest, and the absence of any material necessitating further detention of the accused in the present case, I am of the considered view that the accused is entitled to be enlarged on bail.

Accordingly, the prayer for bail is allowed.

The accused Owajul Sk. @ Jarda @ Wajul Sk., S/O Late Inamul Sk. @ Imamul Sk, be released on bail in connection with GR Case No. 456 of 2024 under Section 305 BNS, on furnishing a bail bond of Rs. 2000/- with one surety of like amount to the satisfaction of this Court.

The accused shall appear before this Court as and when directed and shall comply with all conditions imposed under law.

Let a copy of this order be communicated to the Officer-in-Charge, Beldanga Police Station, and to the Superintendent of BCC Home, Berhampore, Murshidabad, for necessary compliance.

To date 27.02.2026 for appearance and Er of WA.

D/C by me

JM1

Judicial Magistrate 1st Court
Raghunathpur, Purulia