

In the Court of Ld Additional Sessions Judge, Diamond Harbour, South 24 Parganas
CMC 114 of 2026
arising out of Magrahat PS Case No 80 of 2023
GR No 754 of 20213
u/s 399/ 402 of IPC
State Vs Taiyeb Ali Mallick

Order No 2
07/03/2026

Today is fixed for hearing on the bail petition u/s 483 BNS filed on behalf of the accused person Taiyeb Ali Mallick.

Ld Advocate for the accused/petitioner and the Ld. PP in charge both are present.

Record is taken up for hearing.

Heard Both sides.

CD not produced but charge sheet has already been submitted.

At the very beginning Ld Advocate for the above-named accused petitioner submitted that no bail application is either filed or pending before any higher forum and that the accused is in custody since 11.02.2026 having been arrested and his bail petition having been refused by the Ld. ACJM, Diamond Harbour on account of the offence being triable exclusively by the Court of Sessions.

Ld. PP in-charge did not raise any material objection.

As a matter of fact this is a case u/s 399/ 402 of IPC in which chage sheet has already been submitted on 31.07.2023. Admittedly the accused is in custody since 11.02.2026. Since invesigation is already complete, and there are other accused persons on the same footing already on bail, I do not find any justification in further detention of the accused.

Hence, it is,

Ordered

that the application u/s 483 BNSS registerd as CMC No 114/2026 is hereby allowed and accordingly disposed of.

The accused/petitioner may find an interim bail of Rs.3,000/- with two sureties of Rs.1,500/- each subject to the satisfaction of Ld. ACJM, Diamond Harbour with further condition that he shall appear before the Court of Ld. ACJM, Diamond Harbour on each and every date until the process of commitment is complete and shall not intimidate the witnesses under any circumstances and shall comply with the provision of section 480 (3) of BNSS.

The interim bail shall remain in force till 09.04.2026.

Ld. ACJM, Diamond Harbour shall be at liberty to extend or confirm the interim bail and shall further be at liberty to modify any condition of the interim bail depending all the overall conduct of the accused.

Let a copy of this order along with LCR be sent back to Ld. ACJM at Diamond Harbour for information and necessary action.

Dictated and corrected by me:

Sd/-

Dhiman Barman (WB00923)
Additional Sessions Judge(I.C)
Diamond Harbour, S. 24 Parganas

Sd/-

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Additional Sessions Judge(I.C)
Diamond Harbour, S. 24 Parganas