

In the Court of Ld Additional Sessions Judge, Diamond Harbour, South 24 Parganas
CMC 125 of 2026
arising out of Magrahat PS Case No 356 of 2025
GR No 3602 of 2025
u/s 310(4)/ 310(5) of BNS, 2023
State Vs Ashoke Halder

Order No 3
12/03/2026

Today is fixed for hearing on the bail petition u/s 483 BNS filed on behalf of the accused person namely Ashoke Halder.

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 produced.

At the very beginning Ld Advocate for the above-named accused persons/petitioners submitted that no bail application is either filed or pending before any higher forum and that the accused persons are in custody since 21.02.2026 which is a considerable period having regard to the nature of the offence. It is submitted that the accused is not named in the FIR and has not also been considered for custodial interrogation and as such he may be released on bail on any condition as would be deemed fit and proper.

By raising formal objection Ld PP in charge left the matter with the discretion of the court and submitted that there is a recovery of a nepala and iron rod from the custody of the accused.

As a matter of fact this is a case u/s 310(4)/ 310(5) of BNS, 2023 in which investigation has not yet been completed and the CD reveals recovery of a nepala and an iron rod from the custody of the accused person. The IO however, did not press for custodial interrogation of the accused and as such I find further detention to be unnecessary.

Hence, it is,

Ordered

that the application u/s 483 BNSS registered as CMC No 125/2026 is hereby allowed and accordingly disposed of.

The accused persons/petitioners 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 they shall appear before the Court of Ld. ACJM, Diamond Harbour on each and every date and shall meet the IO once in a fortnight till submission of charge sheet, and

shall not tamper the prosecution evidence 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 17.04.2026.

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 persons.

Return the CD.

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