

01.07.2026

Sl. No.25.

D/L.

(Allowed)

Mithun.

Ct.No.29.

CRM (R) No.68 of 2026

Jay Prakash Majumdar

Vs.

The State of West Bengal

In re: An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bidhannagar (North) Police Station Case No.92/2026 dated 03.06.2026 under Sections 329(4)/308(2)/115(2)/74/318(4) of the Bharatiya Nyaya Sanhita, 2023 and corresponding to G.R. No.714 of 202.

Mr. Sandipan Ganguly, Sr. Adv.
Mr. Sabyasachi Banerjee, Sr. Adv.,
Mr. Rudradipta Nandy,
Mr. Surojit Saha,
Ms. Sudarshana Srivastava

...for the petitioner

Mr. Pritam Roy

...for the *de facto* complainant

Mr. Gurudas Mitra,
Mr. Utsav Dutta

...for the State

The memo of evidence filed by the State is taken on record.

Learned Counsel for the petitioner herein submits that the petitioner has been implicated in connection with Bidhannagar (North) Police Station Case No.86/2026 dated 26.05.2026 under Sections 308(2)/329(4)/61(2)(A) of BNS. One Sreemoyee Mukherjee lodged a written complaint against the petitioner to the effect that the accused person has been forcefully occupying the flat of the complainant by inducing threats in the name of the earlier ruling party since 2015. On 03.06.2026 at 14:00 hours, the

accused person called the complainant to hand over her flat but suddenly the accused person became violent upon the complainant and her mother when he was requested to settle up the outstanding rent amount of about Rs.28-30 lakhs, which is pending till date and he also assaulted the complainant by pushing her on her chest and thereby outraged her modesty and for which she fell down on the road and was subsequently rescued by the local people.

Learned Counsel for the petitioner submits that he was in custody since 3rd June, 2026 i.e. for about 28 days. Learned Counsel for the petitioner further submits that the petitioner as a tenant obtained an order of injunction by a Civil Court on 02.06.2026 in Title Suit No.190 of 2026 by which the defendant, i.e. complainant herein were directed not to disturb the petitioner's peaceful possession in respect of the schedule mentioned suit property without due process of law. The instant FIR has been lodged on the very next day, i.e., on 3rd June, 2026. Learned Counsel for the petitioner further referred to a letter dated 14th March, 2023, which is a letter of attornment given by said Sreemoyee Mukherjee after the death of original landlord, Swapan Roychowdhury. He has further drawn my attention to the Bank statement which discloses payment of rent from 23.05.2023 to 18.05.2026.

He submits that the dispute between the parties is purely landlord-tenant dispute and civil in nature and, furthermore, it appears that in the written complaint, the petitioner has prayed for

recovery of the arrear amount of rent and therefore criminal proceeding is not maintainable. He may be released on bail on any terms and conditions.

Learned Counsel appearing on behalf of the *de facto* complainant and the State vehemently oppose the bail prayer contending that the investigation has revealed prima facie involvement of the petitioner and the investigation is still continuing and several crucial aspects remain to be verified and corroborated through collection of additional evidence. The accused has deliberately adopted an uncooperative stand by refusing to open or grant access to the said premises. He further submits that Investigating Officer of this case has a strong suspicion that crucial digital records and physical data may be concealed therefrom to mislead the investigating agency. Therefore, if the accused is released on bail, there is every likelihood of fleeing away from the investigation by the accused person since he is a political leader of the previous Ruling party and, as such, he can assert his influence on the complainant as well as other witnesses. He further submits that the statements which have already been recorded on 06.07.2026 under Section 180 of the BNSS need to be corroborated. Therefore, the petitioner should not be released on bail.

I have considered submissions made on behalf of all the parties. Having gone through the written complaint, it appears that the present case has arisen clearly out of a landlord-tenant dispute and in the FIR, the *de facto* complainant has prayed for

recovery of the arrear amount of rent. I have also gone through the materials available in the Case Diary including the statements so far recorded under Section 180 of the BNSS. The petitioner is in custody for about 28 days and the investigation should have advanced to a considerable extent.

Therefore taking into account the submissions made on behalf of the petitioner and also considering the materials available so far in the Case Diary, the petitioner, Jay Prakash Majumdar may be released on bail upon furnishing bond of Rs.20,000/- with two registered sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of learned Additional Chief Judicial Magistrate, Bidhannagar, North 24 Parganas and also on condition that he shall make all sorts of cooperation with the Investigating Agency during investigation and shall not try to influence the investigation in any manner and will meet the I.O. once in a week till further order and will not leave Bidhannagar or Kolkata without obtaining prior leave from the Court till investigation is completed.

CRM(R) no. 68 of 2026 thus stands disposed of.

Case Diary be returned to learned Counsel for the State.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)

