

12.12.2025
Court No.35.
D/L. 17.
Rakib
(rejected)

CRM (M) 1338 of 2025

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 Bidhannagar East Police Station case no. 81/2023 dated 18.07.2023 under Sections 376/417/313/354C/342/323/506 of the Indian Penal Code.

And

In the matter of : XXXXX.

.....Petitioner.

Mr. Ayan Basu
Mr. Sourav Bera
Mr. Sumit Routh

.....for the Petitioner.

Mr. Sabyasachi Banerjee, Sr. Adv.
Mr. Bikram Mitra
Ms. Nahid Ahmed
Mr. Ayan Das

.....for the Opposite Party No.2.

Mr. Shaila Afrin

.....for the State.

Learned advocate appearing for the petitioner submits that initially petitioner was granted interim bail which was cancelled for non-representation as the learned advocate did not communicate the same or did not take any steps. Petitioner was arrested on the basis of the warrant of arrest which was executed and is in custody thereafter for a period of 223 days. Petitioner prays for bail on any stringent conditions.

Learned senior advocate appearing for the de-facto complainant opposes the prayer for bail and submits that the case is at a vital stage and the release of the petitioner would jeopardize whole of the merits of the case.

Learned advocate for the State opposes the prayer for bail and produces the Case Diary.

I have considered the merits of the case, period of detention of the petitioner and the stage of the case. It appears from the record that the evidence of the victim is in progress.

Considering the same, I direct the learned trial Court to release the petitioner on bail subject to such terms and conditions as he deems fit and proper for ensuring his further presence during the trial after the cross-examination of the victim is over.

With the aforesaid directions CRM (M) 1338 of 2025 is disposed of.

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.)