

14.07.2026

Sl. No. DL 480
Court No. 35

ALLOWED

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction

Case No.

CRM (M) 1193 of 2026

In Re : An application for bail under Section 483 of the
Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding
to Section 439 of the Code of Criminal Procedure, 1973
filed

in connection with

Beniapukur Police Station case no.81 of 2024 dated
01.05.2024 under Section 302 of the Indian penal Code,
1860.

-AND-

In the matter of :

RAMESH THAPA

.....*Petitioner*

For the Petitioner :

Ms. Farnaz Nasim

...*Advocate*

For the State :

Mr. Somnath Adhikary

...*Advocate*

1. Learned advocate appearing for the petitioner submits that the petitioner is in custody for 800 days and till date six witnesses have been examined by the prosecution, although the cross-examination of the said witnesses are yet to be completed.
2. Learned advocate appearing on behalf of the State opposes the prayer for bail and submits that the petitioner is delaying the trial of the case unnecessarily.
3. I have taken into account the genesis of the present dispute which arose out of a scooty which belongs to the family. Petitioner was apprehensive that his son may sell out the

scooty because of his addiction. On the fateful day, petitioner lost his temper and with a knife struck a blow at the thigh of the deceased. Unable to sustain such injury, the son succumbed to injuries.

4. Having regard to the period of detention of the present petitioner and *prima facie* the materials reflecting that the incident cropped up at the spur of the moment, I am inclined to release the petitioner on bail.
5. As such, the prayer for bail of the petitioner is **allowed**.
6. As such, the petitioner, namely, **Ramesh Thapa** shall furnish bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Sealdah.
7. If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court in seisin of the case. The petitioner shall not leave the districts of Kolkata and South 24 Parganas without prior permission of the concerned Court.
8. With the above observations, **CRM(M) 1193 of 2026** is **disposed of**.
9. Memo of evidence filed by the State be kept with the record.
10. Case diary be returned to the learned advocate appearing for the State.

- 11.** All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
- 12.** Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)