

4.
17-08-2026
(ct. no.09)
debajyoti
(allowed)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

CRM (M) 236 of 2026

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Rajganj Police Station Case No.135 of 2026 dated 16-04-2026 under Section 103(1) of Bharatiya Nyaya Sanhita.

- A n d -

In the matter of : Amar Roy & Anr.

.... Petitioners.

Mr. Sudip Guha, Adv.,
Ms. Ankita Nag, Adv.

... For the Petitioners.

Mr. Avrojoyoti Das, learned APP,
Ms. Panchali Deb Sikder (Nag), Sr. Govt. Adv.,
Mr. Kallal Ghosh, Adv.,
Ms. Baishali Chakrabarty, Adv.

... For the State.

1. The learned counsel for the petitioners has submitted that the petitioners are in custody for about 120 days. Investigation is complete. There is no chance of an early conclusion of the trial. The petitioner no.1 is aged about 63 years. There was no intention of killing the victim on the part of the petitioners. The learned counsel has further submitted that the petitioners may be enlarged on bail on any condition.

2. The learned Additional Public Prosecutor opposes the prayer for bail. According to him, the murder weapon was recovered from the courtyard of the house where the victim was killed by both the petitioners. There are witnesses who saw the incident. However, the State has serious objection to the bail prayer of the petitioner no.2.

3. I have considered the materials on record. The charge sheet has already been submitted. The investigation is

complete. The dry branch stick was recovered from the place of occurrence. Forensic examination was done. There is no chance of an early conclusion of the trial. There is no need for further detention of the petitioners in custody.

4. Accordingly, the prayer of the petitioners for bail is allowed on the following conditions:

- a) The petitioner, namely, **Amar Roy and Kishor Kumar Roy**, shall be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of Rs.5000/- (Rupees Five Thousand) each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Jalpaiguri.
- b) The petitioners shall appear before the learned trial Court on each and every date of hearing and/or as and when to be directed by the court.
- c) The petitioners shall not intimidate or threaten the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit any cognizable offence in any manner whatsoever.
- d) The petitioners shall remain within the geographical limits of the district of Jalpaiguri, but shall not enter the jurisdiction of Rajganj Police Station, except for the purpose of attending the court proceedings. The petitioners shall inform their current local address where they would be residing while on bail to the jurisdictional police station, Rajganj Police Station and the learned trial Court and shall meet the Officer-in-Charge/Inspector-in-Charge of the police station under whose jurisdiction they shall be residing while on bail, once in a fortnight, until further orders.

5. In the event the petitioners fail to adhere to any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law.

6. The application for bail is, thus, **allowed**.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Apurba Sinha Ray, J.)