

17.09.2025
Item no.3
Court No.42
ss
(Allowed)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 1586 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chakdah P.S. Case No. 1319 of 2024 dated 18.11.2024 under Sections 85/80/107/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act and Sections 9/10/11 of the Prohibition of Child Marriage Act, now pending before the learned Additional Chief Judicial Magistrate, Kalyani at Nadia.

In Re : **XXXX**

.... Petitioner

Mr. Subrata Bhattacharjya
...for the Petitioner

Ms. Baisali Basu,
Ms. Suveni Banerjee
...for the State

1. Service report filed by the State is taken on record.
2. Learned Advocate for the petitioner submits that the victim was married to the petitioner and has committed suicide in the matrimonial home. There are no such specific allegations against the petitioner. The other co-accused being the parents-in-law have been granted bail by this Hon'ble Court. The petitioner is in custody for 300 days and upon completion of investigation, charge-sheet has been submitted. He seeks for enlargement of the petitioner on bail.
3. Learned Advocate for the State, opposing such prayer for bail, submits that due to continuous torture upon the victim she committed suicide. She seeks for dismissal of the bail application.

4. Despite service none appears on behalf of the *de facto* complainant.

5. Perused the case diary and the materials on record.

6. The statement of the witnesses shows that there are allegations of infliction of torture upon the victim in the matrimonial home. Be that as it may, the same is omnibus. The post mortem report reveals that the victim committed suicide by hanging. There are no such notable injuries on the victim noted in the post mortem report. The circumstances which led to suicide by the victim or complicity of the petitioner in the solemnization of marriage, may be examined and tested in trial. The petitioner is in custody for 300 days and upon completion of investigation, charge-sheet has already been submitted. Considering the above, I am inclined to grant bail to the petitioner.

7. Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand), with two sureties of like amount each, one of whom must be a local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kalyani at Nadia, subject to the following conditions:

- (i) The petitioner shall appear before the trial court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

(ii) The petitioner shall meet the Inspector-in-Charge of Chakdah Police Station once in a fortnight, until further orders.

8. In the event the petitioner fails to comply with any of the conditions as stated above, the learned Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

9. It is made clear that the observation made hereinabove is only for the sake of disposal of this application.

10. Accordingly, the application for bail being **CRM (M) 1586 of 2025** is disposed of.

(Bivas Pattanayak, J.)