

17.11.2025

Item No.45

Ct.No.35

dc.

partly allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 2312 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Khayrasole Police Station Case No. 64 of 2025 dated 04.04.2025 under Sections 85/80/203(1)/61(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Ramprasad Bhattacharya @ Saheb and others**

... Petitioners.

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Biswajit Manna

... For the Petitioners.

Mr. Prasun Kumar Dutta,
Mr. Sujoy Sarkar

... For the State.

Mr. Kunal Ganguly ... For the *de facto* complainant.

Learned senior advocate appearing for the petitioners submits that the petitioner no.1 is the husband, petitioner no.2 is father-in-law and the petitioner no.3 is mother-in-law of the deceased. The investigation of the case has already been concluded and the case has already been committed to the court of sessions. It has also been pointed out that for a period of about 220 days petitioners are in custody.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and draws the attention of the Court to the statements of the witnesses and the medical evidence both the bed head tickets as well as the *post mortem* report. It has also been contended that the

neighbours in course of investigation, divulged regarding the torture inflicted upon the deceased by the inmates of her matrimonial home.

Learned advocate appearing for the *de facto* complainant, on the other hand, submits that on the last four dates, adjournment has been taken on behalf of the petitioners so that the proceedings before the trial court could not progress.

I have taken into account the overall circumstances of the case including the factum that after four years of marriage such an incident having taken place. On an assessment of the facts of the case, I am of the view that the prayer for bail of the petitioner no.1, viz., **Ramprasad Bhattacharya @ Saheb** at this stage would be premature and as such, is **rejected**.

So far as the petitioner nos. 2 and 3 are concerned, having regard to their age and both of them being senior citizens, I direct the learned Trial Court to **release** the petitioner no. 2 viz., **Nilmadhab Bhattacharya** and petitioner no.3 viz., **Tapasi Bhattacharya** after the stage of consideration of charges are over. It would be the subjective satisfaction of the learned Trial Court to impose the conditions as well as the quantum of the bond.

The application for bail, being CRM (M) 2312 of 2025, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)