

24.11.2025

Item No.77

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 2349 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 Gangarampur Police Station Case No. 67 of 2022 dated 25.01.2022 under Sections 341/302/120B/34 of the Indian Penal Code.

And

In Re : **Biplab Ch. Roy @ Balak @ Biplab Chandra Roy**
@ Balak Roy @ Biplab Chandra Roy and others
... Petitioners.

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Aniruddha Bhattacharyya,
Ms. Anushka Bose

... For the Petitioners.

Mr. Ranabir Roy Chowdhury,
Ms. Suveni Banerjee

... For the State.

Mr. Sabyasachi Hazra ... For the *de facto* complainant.

Learned senior advocate appearing for the petitioners submits that the four petitioners before this Court are similarly situated as the co-accused who has been granted bail on 19.09.2025 passed by a coordinate Bench of this Hon'ble Court in CRM(M) 1474 of 2025

Learned advocate appearing for the State has produced the case diary. State has opposed the prayer for bail on the grounds that delay which has taken place in the instant case is also because of the accused persons not participating in the trial and some of the accused persons still absconding. The order dated 19.09.2025 passed by the

coordinate Bench reflects that only six witnesses have been examined out of 40 witnesses proposed to be examined.

Learned advocate for the *de facto* complainant is present.

I have taken into account the statement of the wife of the deceased recorded under Section 164 of the Code of Criminal Procedure and on appreciation of the same, I am of the opinion that the petitioners herein are similarly situated as the other co-accused who has been granted bail on 19.09.2025. Having regard to the same, I am inclined to release the petitioners on bail. As such, the prayer for bail of the petitioners is **allowed**.

Accordingly, the petitioners viz., 1. **Biplab Ch. Roy @ Balak @ Biplab Chandra Roy @ Balak Roy @ Biplab Chandra Roy**, 2. **Debasish Roy @ Debasis Roy @ Debashis Roy**, 3. **Badal Sarkar** and 4. **Parimal Roy @ Parimal Ray** shall be released on bail upon furnishing bond of Rs.20,000/- each, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur.

If on bail, the petitioners shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the district of Dakshin Dinajpur without the leave of the learned Trial Court.

Case diary be returned to learned advocate appearing for the State.

The application for bail, being CRM (M) 2349 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.)