

29.12.2025
SL No.25
Court No.6
S.Gayen/
Rohan
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

C.R.M.(M) 2923 of 2025

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kalna Police Station Case No. 805 of 2024 dated 03.07.2024 under sections 85/103(1) of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Additional Sessions Judge, Kalna.

-And-

In the matter of: Tapan Saha

...Petitioner

Mr. Sarthak Mondal
Mr. Samrat Mondal

...for the Petitioner

Ms. Sujata Das
Ms. Sima Biswas

...for the State

1. The prayer herein is the sole accused.
2. The victim herein has prima facie died of strangulation.
3. The statement of the child is on record. The child is of the deceased from the previous marriage. The petitioner herein is her second husband.
4. The learned counsel for the petitioner submits that there are several witnesses and there shall be delay in the trial.
5. It appears that there are allegations that the petitioner herein was an addicted person who used to allegedly torture the victim and on the date of the incident, strangled her.

6. Even though the offence herein is a heinous one, it has to be kept in mind that there are 25 witnesses to be examined and the accused is already in custody for one year six months.
7. Considering that the offence in this regard resulted out of a matrimonial dispute and his detention will not serve any purpose, this Court is inclined to grant bail to the petitioner.
8. Accordingly, the application for bail is, thus, **allowed**.
9. I direct the petitioner will be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of like amount each, one of whom must be a local, to the satisfaction of the learned ACJM, Kalna. 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 and the petitioner shall not leave the jurisdiction of the concerned Court without prior permission of the Court.
10. 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.
11. Thus, the application for bail being **C.R.M. (M) 2923 of 2025** stands disposed of.

(Shampa Dutt (Paul), J.)