

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

13.02.2025

Court No.01
rpan/34

CRM (DB) 79 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Rajganj
Police Station Case no.331 of 2024 dated 07.09.2024 under
Sections 108/318(2)/61(2) of the Bharatiya Nyaya Sanhita, 2023;

And

In Re : **Hamiidul Md.**

- Petitioner

Mr. Jaydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Mr. Shubham Kumar,
Ms. Sayantani Das
...for the Petitioner.

Mr. Nilay Chakraborty, Ld. APP
Mr. Sourav Ganguly,
Ms. Sukanya Adhikary
...for the State.

Mr. Bhowmik, learned advocate appearing for the petitioner submits that since their marriage solemnized on 15th March, 2024, the petitioner's son, namely, Motiful Md. and the victim, had not been residing together. The victim all along was residing at her parental house. No specific overt act has been attributed to the petitioner, who is the father-in-law of the victim. The principal accused, being the petitioner's son is already in custody. The petitioner has also suffered incarceration for about 54 days. In view thereof, the petitioner may be enlarged on bail on any stringent condition.

Mr. Chakraborty, learned Additional Public Prosecutor appearing for the State opposes the petitioner's prayer and submits that there are strong incriminating materials on record against the petitioner and draws our attention to the statement of the complainant and the post-mortem report.

Prima facie, in the complaint no specific overt act has been attributed to the petitioner. It appears that the victim expired at her parental house. Considering the nature of accusations and extent of complicity of the petitioner in the alleged offence, we are of the opinion that further detention of the petitioner is not necessary.

In view thereof, we allow this application and direct that the petitioner, namely, **Hamiidul Md.** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri with further conditions that he shall meet with the investigating officer once a week till the investigation is complete.

It is further directed that the petitioner shall not influence the witnesses and/or tamper with the evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with any of the aforesaid directions, without justifiable cause, the learned Court below shall be at liberty to cancel his bail without any further reference to this Court.

The application for bail, being CRM (DB) 79 of 2025 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Prasenjit Biswas, J.)

(Tapabrata Chakraborty, J.)