

28.04.2025
Item No. 06
Ct. No. 4
(Allowed)
(AN)

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

CRM (M) 45 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 vide Criminal Miscellaneous Case No. 34 of 2025 arising out of Kuchlibari Police Station Case No. 31 of 2025 dated 08.03.2025 under Section 85/80 of Bharatiya Nyaya Sanhita 2023 vide G.R. Case No. 125 of 2025.

In the matter of : **Manjirul Haque @ Manjirul Hoque**
... Petitioner

Mr. Sandeep Dutta
Mr. Anirban Banerjee
... for the petitioner

Mr. Tapan Bhattacharjee
Mr. Dhiman Sil
... for the State

1. Learned advocate representing the petitioner submits that the marriage between the petitioner and the victim girl took place on 28.02.2025 and on that day only the registration of marriage took place between them.
2. He further submits that the victim girl never resided alongwith the petitioner in her in-law's house since marriage. He further submits that since marriage, the victim girl was residing at her parent's house, the distance between the two houses are more than 20 kms.

3. Learned advocate further submits that there was no contact between the victim girl and the petitioner since marriage and this petitioner has been falsely implicated and the petitioner is in custody since 09.03.2025 i.e. for more than 50 days.
4. Considering the present aspect and the facts and circumstances of the case, learned advocate representing the petitioner prays for bail.
5. Learned advocate representing the State refers to the statements of the parents of the victim girl recorded under Section 183 of the B.N.S.S., 2023 and submits that because of provocation by the petitioner this victim girl committed suicide. He opposes the prayer for bail.
6. On going through the statements recorded under Section 183 of the B.N.S.S., 2023, it transpires that both the parents of the victim girl have stated as regards the suicide. As regards to provocation on behalf of the petitioner, nothing reveals from the case diary. Both the victim girl and the petitioner never resided together. Only the registration of marriage took place between them and since the date of marriage the victim girl was residing at her paternal house.
7. Considering the aforesaid facts and circumstances of the case and after perusal of the case diary, this Court is of the view that custodial trial of the petitioner is not

required as such the petitioner viz. **Manjirul Haque @ Manjirul Hoque** be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, of whom one must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj, Cooch Behar subject to the conditions that the petitioner shall meet the Investigating Officer as and when called for until further order/orders.

8. The petitioner shall appear before the learned trial court on every date of hearing until further order or orders and shall not intimidate the witnesses and/or tamper with the evidence in any manner whatsoever.

(Supratim Bhattacharya, J.)