

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

**12.06.2025.
05.
Ct.No.04.
as
(Allowed)**

C.R.M. (M) 99 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Boxirhat P.S. Case No.138 of 2025 dated 05.04.2025 under Sections 69/351(2)(3)/115(2)/3(5) of Bharatiya Nyaya Sanhita, 2023 corresponding to G.R. Case No.286 of 2025.

In the matter of : **Prallad Bariya @ Prollad Bariya.**
.... Petitioner.

Mr. Sudip Guha.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,

Mr. Ujjwal Luksom,

Mr. Sagnik Sankar Sardar.

...for the State.

1. This application has been preferred under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, BNSS) in connection with Boxirhat P.S. Case No.138 of 2025 dated 05.04.2025 under Sections 69/351(2)(3)/115(2)/3(5) of Bharatiya Nyaya Sanhita, 2023 (in short, BNS) corresponding to G.R. Case No.286 of 2025.
2. Mr. Guha, learned advocate representing the petitioner, submits that the petitioner is the father of the principal accused. He has been in custody for 70 days. He submits that the allegation against the present accused is that he had wrongfully confined the victim.
3. Mr. Luksom, learned Advocate representing the State, produces the case diary. Based on the materials available in the case diary, he opposes the prayer for bail.

4. Answering my query, he submits that the charge sheet has been submitted in this case and that the principal accused is in custody.

5. Heard the learned Advocates appearing for the respective parties and perused the materials on record including the case diary.

6. Admittedly, charge sheet vide No. 182 of 2025 dated 14.05.2025 has been submitted. The main allegation is directed against the principal accused, who is in custody.

7. Therefore, taking note of these facts and considering the role attributed to the present petitioner, I am of the view that further detention of the petitioner will not serve any purpose.

8. In view of the above, the petitioner, viz., Prallad Bariya @ Prollad Bariya, may find bail of Rs. 5,000/-, with two sureties of Rs. 2,500/- each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Tufanganj, Cooch Behar, subject to the condition that he shall appear before the trial court on every date of hearing until further orders, and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

9. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law, without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

