

1606
2025

MONDAY

COURT : JCB-04
ITEM : 01
MATTER : 439
STATUS : GRANTED
BENCH ID : 1508
AR COURT : NANDY

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (R)28OF 2025

In Re:- An application for **Bail** under section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on May 8, 2025 in connection with Nagrakata Police Station Case No. 76 of 2024 dated 27.05.2024 under Sections 448/342/325/302/34/120B Indian Penal Code. (G.R. Case No. 2554 of 2024)

And

In the matter of: **KALAWATI GOWALA @ KALAWATI & ANR.**
.....PETITIONERS

MR. ARIJIT GHOSH, ADVOCATE
MS. ANGANA RAKSHIT, ADVOCATE

.....FOR THE PETITIONERS

MR. ADITI SHANKAR CHAKRABORTY, LD. APP
MR. KALLOL NAG, ADVOCATE

.....FOR THE STATE

MS. NAMRATA DAS, ADVOCATE
.....FOR THE DE FACTO COMPLAINANT

1. The instant application for bail is filed at the behest of the petitioners in connection with Nagrakata Police Station Case No. 76 of 2024 dated 27.05.2024 under Sections 448/342/325/302/34/120B Indian Penal Code.
2. Learned advocate for the petitioners submits that in the present case, the charge-sheet has already been filed and the other co-accused persons are on bail. He further submits that the present petitioners are women and, therefore, prays for grant of bail to them.
3. Ms. Das, learned advocate appearing for the *de facto* complainant, submits that the victim was brutally murdered. She submits that the victim was tied to a betel nut tree with a rope and mercilessly beaten to death. She further submits that it would not be appropriate to release the present petitioners on bail.

4. Mr. Chakraborty, learned Additional Public Prosecutor produced the Case Diary. Based on the materials on record available in the case diary, he opposed the prayer for bail.
5. Heard the learned advocates for the respective parties. Perused the case diary and the materials available on record.
6. Admittedly, in the present case, the charge-sheet has already been submitted, and the other co-accused persons have been granted bail. Fourteen witnesses have been cited in the charge-sheet, and there is no likelihood of an early conclusion of the trial.
7. Considering all these aspects and the extent of complicity of the present petitioners in the alleged crime, I am of the view that the continued detention of the petitioners will not serve any useful purpose.
8. Accordingly, the prayer for bail is **allowed**.
9. The petitioners, namely **KALAWATI GOWALA @ KALAWATI** and **RINA GOWALA @ RINA GOWALA INDWAR**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the Additional Chief Judicial Magistrate, Jalpaiguri. This is subject to the conditions that the petitioners shall appear before the Trial sCourt on every date of hearing until further orders, shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever, and shall meet the Officer-in-Charge of the concerned police station once in a fortnight until further orders.
10. The application being **CRM (R) 28 of 2025** is accordingly **disposed of**.

(PARTHA SARATHI CHATTERJEE, J)

