

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

16.06.2025.
Sl. No. 6
Ct.No. 4.
sdas
(Allowed)

C.R.M.(M) 114 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Dhupguri P.S.
Case No. 45 of 2025 dated 31.01.2025 under Sections
126(2)/115(2)/117(4)/105/3(5) of Bharatiya Nyaya Sanhita, 2023.

In the matter of : Dhaneswar Roy

.... Petitioner.

Mr. Sudip Guha.

...for the Petitioner.

Mr. Kallol Acharjee

Mr. Tapan Bhattacharjee

...for the State.

This application has been preferred under Section 483 of
Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, BNSS) in
connection with Dhupguri P.S. Case No. 45 of 2025 dated
31.01.2025 under Sections 126(2)/115(2)/117(4)/ 105/3(5) of the
Bharatiya Nyaya Sanhita, 2023.

Mr. Guha, learned advocate representing the petitioner,
submits that the charge-sheet has been submitted. The other co-
accused persons are on bail, and there is no specific allegation against
the present petitioner. He prays for bail on the ground of parity.

Mr. Acharjee, learned advocate representing the State,
produces the case diary. Based on the materials available in the case
diary, he opposes the prayer for bail. He submits that the victim has
been brutally murdered in this case.

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

The fact remains that the charge-sheet has been submitted. Other co-accused persons have been enlarged on bail.

Therefore, taking note of these facts, I am of the view that the continued detention of the petitioner will not serve any purpose.

In view of the above, the petitioner shall be released on bail of Rs. 5,000/-, with two sureties of Rs. 2,500/- each, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri, 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.

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.

This application for bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)