

08.07.2025
Sl. No. 3
Arsad,(ARCR)
(Allowed)

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

CRM(M)/154/2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Jalpaiguri Women Police Station** Case No. 32 of 2025 dated 27/3/2025 under Sections 85/103/49/3(5) of the BNS, 2023

And

In Re : **Harikishor Roy**

... Petitioner

Mr. Sudip Guha,

... for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP.

Mr. Subhasish Mishra,

.... For the state.

The petitioner has been accused in connection with the offences punishable under Section 80/85/3(5) of the B.N.S.S. The petitioner happens to be the husband of the victim. It has been submitted on behalf of the learned advocate for the petitioner that the petitioner has been in custody for 103 days. Investigation of the case has already been completed and charge-sheet has been submitted in the case.

He prays for release on bail.

Learned advocate for the State relies upon the materials in the Case Diary. He places the postmortem report as well as the inquest report and submits that the offences are heinous in nature. The petitioner does not deserve to be enlarged in bail.

Having heard the learned advocate for the parties and on perusal of the materials in the Case Diary, it transpires that the petitioner is the husband of the victim. The marriage was solemnized four years prior to the incident. The postmortem report shows that the death of the victim

was due to asphyxia and shock caused by ante-mortem hanging. It also transpires from the materials on record that another accused was enlarged on anticipatory bail by an order dated June 11, 2025 passed in CRM(A)/334/2025.

Considering the aforesaid circumstances and also taking into account that the petitioner is no longer required for the purpose of custodial interrogation and the case is already fixed for framing of charge, I am inclined to grant the petitioner on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned **Chief Judicial Magistrate, Jalpaiguri**, subject to condition that he shall attend the learned trial Court on every date of hearing and shall not leave the jurisdiction of learned Chief Judicial Magistrate, Jalpaiguri. The petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as mentioned above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, allowed.

Case Diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

CRM(M)/154/2025 is accordingly disposed of.

(MD. SHABBAR RASHIDI, J.)