

01.08. 2025
Item No. 02
g.b.
Ct. No. 04

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

C.R.M (M) 179 of 2025

In re: An application for Bail under Section 483 of the Code of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with New Mal JN GRPS Police Station Case No. 02 of 2025 dated 5th January, 2025 under Section 108 of B. N. S., 2023.

And

In Re : **Youraj Lama @ Yuvraj Lama**
... Petitioner.

Mr. Joydeep Kanta Bhowmik
Mr. S. Kumar
Ms. Sayantani Das
Ms. Priti Das

...For the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Aniruddha Biswas
....For the State

1. This application for bail has been filed by the petitioner, Youraj Lama @ Yuvraj Lama, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It pertains to New Mal JN GRPS Police Station Case No. 02 of 2025, dated June 5, 2025, registered under Section 108 of the B.N.S., 2023.
2. Mr. Joydeep Kanta Bhowmik, the learned advocate representing the petitioner, submitted that the petitioner has been in custody since June 11, 2025. The case commenced on a written complaint by Kakoli Mahanta, wife of the deceased Gautam Mahanta, lodged on June 5, 2025. It was argued that the deceased, a recovery agent, recovered ₹12,000/- from the petitioner against a loan for a bike but did not submit this

amount to the finance company that granted the loan. As a result, the finance company recorded the petitioner's default in EMI payment, and consequently, his bike was recovered by the said finance company. When the petitioner started demanding the amount of ₹12,000/- from the deceased, the deceased allegedly felt mental trauma and committed suicide by jumping from a running train. The petitioner's counsel contended that the petitioner is in no way associated with the suicide of the deceased and that his further detention is not required for the investigation, which is at its last stage. Therefore, he prayed for an order releasing the petitioner on any condition.

3. Conversely, Mr. Biswas, the learned Advocate for the State, strenuously opposed the bail prayer. He referred to the suicide note of the deceased, annexed at page 8 of the case diary, asserting that it contains direct allegations against the accused person, highlighting the gravity of the allegations.
4. I have meticulously considered the submissions from the learned counsels and thoroughly reviewed the undisputed facts and materials on record. It appears to be a case of suicide, where the deceased tragically took his own life from a running train, reportedly due to mental trauma and pressure inflicted by both the finance company and, significantly, the petitioner. While the allegations are serious, it is noted that the investigation is nearing completion. At this juncture, the continued incarceration of the petitioner merely for the purpose of investigation does not appear to be absolutely essential.

5. However, given the serious nature of the allegations, particularly those stemming from the suicide note, it is imperative that the petitioner shall actively cooperate with the ongoing investigation to ensure its thorough and expeditious conclusion. Any obstruction or non-cooperation would not only impede justice but also potentially lead to the cancellation of bail.
6. In view of the aforementioned facts and circumstances, and finding that continued detention is not warranted for investigative purposes at this stage, the application for bail is allowed.
7. Accordingly, the petitioner, Youraj Lama @ Yuvraj Lama, is directed to be released on bail upon furnishing a bond of ₹10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri, subject to the following stringent conditions, with particular emphasis on cooperation with the investigation:
 - a. The petitioner shall actively cooperate with the Investigating Agency in all aspects of the ongoing investigation. This includes making himself available for questioning whenever required by the Investigating Officer, providing any information or documents relevant to the case as requested, and appearing for identification parades or any other investigative procedure deemed necessary by the Investigating Officer.

- b. He shall meet the Investigating Officer once a week, till the conclusion of the investigation.
- c. The petitioner shall not, directly or indirectly, obstruct the investigation in any manner whatsoever. This includes refraining from destroying, concealing, or altering any evidence, or inducing any person to do so.
- d. The petitioner shall not, directly or indirectly, tamper with the evidence or in any manner influence, coerce, or threaten any witness connected with the case.
- e. The petitioner shall appear before the Court of the learned Chief Judicial Magistrate, Jalpaiguri, on each and every date fixed for the trial of the case. Any single unexcused absence on the part of the petitioner shall automatically result in the cancellation of this bail, and the learned Trial Court shall be at liberty to issue appropriate coercive processes for his apprehension without further reference to this Court.
- f. The petitioner shall not leave the territorial jurisdiction of the District of Jalpaiguri without obtaining prior express leave from the Court of the learned Chief Judicial Magistrate, Jalpaiguri.
- g. If any travel outside this specified jurisdiction becomes necessary, a reasoned application must be submitted to the learned Trial Court at least 72 hours in advance, clearly stating the purpose and duration of the travel.

- h. The petitioner shall cooperate fully with the trial proceedings and shall not seek unnecessary adjournments or obstruct the expeditious disposal of the case in any manner whatsoever.
 - i. The petitioner shall provide his permanent and current residential addresses, along with a functional contact number, to the Court and the Investigating Officer, and shall promptly inform them of any change in these details within 24 hours.
8. It is explicitly clarified that any breach of the aforesaid conditions, particularly those pertaining to cooperation with the investigation, shall automatically lead to the cancellation of bail granted to the petitioner. Upon such breach, he shall be liable to be taken into custody forthwith upon an application moved by the prosecution or *suo motu* by the learned Trial Court or this Court, without any further notice or hearing.
9. Accordingly, C.R.M.(M) 179 of 2025 stands disposed of.
10. An urgent Photostat certified copy of this order, if applied for, shall be supplied to the parties on an urgent basis after completion of all necessary formalities.

(Uday Kumar, J.)