

29.07. 2025  
Item No. 06  
g.b.  
Ct. No. 04

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

**C.R.M (R) 40 of 2025**

In re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Code of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pradhan Nagar Police Station Case No. 67 of 2025 dated 29.01.2025 under Sections 85/117 (2)/109 and 3(5) of the BNS, 2023 read with Sections 3 /4 of the Dowry Prohibition Act corresponding to PTN Case no. 649 of 2025.

And

In Re : **Munna Basfore** ... Petitioner.

Mr. Subham Ghosh  
Mr. Mayank Roy  
...For the petitioner.  
Mr. Kallol Acharjee  
Mr. Chattu Roy  
....For the State

1. This application, CRM(R) 40 of 2025, has been filed by the petitioner, Munna Busfore, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. He seeks bail in connection with Pradhan Nagar Police Station Case No. 67 of 2025 dated 29.01.2025.
2. Mr. Subham Ghosh, the learned advocate representing the petitioner, submits that the petitioner is the father-in-law of the deceased, Gouri Basfore. The petitioner is in custody since April 14, 2025. On the written complaint of Laxmi Basfore, mother of Gouri Basfore, Pradhan Nagar Police Station case no. 67 of 2025 was registered under Sections 85/117 (2)/109 and 3(5) of the

BNS, 2023 read with Sections 3 /4 of the Dowry Prohibition Act against Prem Basfore, Munna Basfore, Anjali Basfore and Lakhiya Basfore. Prem Basfore, husband of the victim, is already on bail while Anjali Basfore and Lakhiya Basfore are sisters-in-law of the deceased, are on anticipatory bail. Learned advocate for the petitioner prays the release of petitioner on bail on any condition.

3. Mr. Acharjee, the learned Advocate for the State, vigorously opposes the prayer for bail by submitting that this is a fit case for custodial trial. The victim suffered from 90% burn and she succumbed to the said burn injury. He further submits that charge has not yet been framed and there is no chance of early trial.
4. I have meticulously considered the rival contentions presented by the learned counsels for both parties. I have also given due consideration to the undisputed facts and the fact that other accused persons have been released on bail.
5. Regarding the legal position on bail, especially after the completion of the investigation and the filing of the chargesheet, it is noted that charges have not yet been framed against the accused, and the trial has not commenced. Based on the material available on record, it appears that custodial trial is not necessary.

6. In view of these facts and circumstances, particularly the period of detention already undergone by the petitioner, I am convinced that his continued detention is not warranted.
7. Accordingly, the petitioner, Munna Basfore, 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 out of them one must be local, on the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri, and subject to the following stringent conditions -
  - a) The petitioner shall appear before the Court of the learned Additional Chief Judicial Magistrate, Siliguri, 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.
  - b) The petitioner shall not leave the territorial jurisdiction of the District of Siliguri without obtaining prior express leave from the Court of the learned Additional Chief Judicial Magistrate, Siliguri.
  - c) 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.

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 cooperate fully with the trial proceedings and shall not seek unnecessary adjournments or obstruct the expeditious disposal of the case in any manner whatsoever.

f) 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 shall automatically lead to the cancellation of bail granted to the petitioner, and 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.

9. Accordingly, the C.R.M.(R) 40 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.)**