

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

**19.08.2025.
12
Ct.No.04.
as
(Allowed)**

C.R.M. (M) 225 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pundibari P.S. Case No.547 of 2025 dated 17.06.2025 under Sections 85/109/3(5) of the Bharatiya Nyaya Sanhita, 2023 and read with Section 3/ 4 of the Dowry Prohibition Act, 1961 corresponding to G.R. Case No.1127 of 2025.

In the matter of : **Abutaher Miah & Anr.**

.... Petitioners.

Mr. Hillol Saha Podder.

...for the Petitioners.

Mr. Ujjwal Luksom,
Ms. Namrata Das.

...for the State.

1. This application for bail has been preferred under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, BNSS) in connection with Pundibari P.S. Case No.547 of 2025 dated 17.06.2025 under Sections 85/109/3(5) of the Bharatiya Nyaya Sanhita, 2023 and read with Section 3/ 4 of the Dowry Prohibition Act, 1961 corresponding to G.R. Case No.1127 of 2025.

2. Mr. Podder, the learned advocate representing the petitioners, submits that following a dispute cropped up within the family members, the petitioners have been implicated in this case falsely. He submits the present petitioners are in custody for 62 days. He prays for grant of bail in favour of the petitioners.

3. Mr. Luksom, the learned Advocate representing the State, produces the case diary and relying upon the materials available in the Case Diary, opposes the prayer for bail.

4. Heard the learned Advocates appearing for the respective parties and perused the case diary and other materials including the medical documents.

5. The incident allegedly occurred in presence of direct evidence. The present petitioners are under incarceration for 62 days. Therefore, I am of the view that further detention of this present petitioner will not serve any purpose and they may be granted bail subject to certain terms and conditions.

6. Accordingly, the petitioners, viz., **1) Abutaher Miah and 2) Firoj Miah**, may find bail of Rs. 10,000/- each, with two sureties of Rs. 5,000/- each, to the satisfaction of the learned Chief Judicial Magistrate, Cooch Behar, one of which must be local, subject to the condition that the petitioners shall meet the Investigating Officer one in every week until submission of the charge sheet and 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.

7. In the event the petitioners fail to appear before the trial court without a justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law, without any further reference to this Court.

8. This application for bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

