

20.08.2025
Item No. 14
Court No. 4
sdas
rejected

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M.(M) No. 228 of 2025

In Re:- An application for bail under Section 483 of the BNSS, 2023 in connection with Malbazar Police Station Case No. 221 of 2025 dated 10.05.2025 under Section 103(1) of the BNS.

And

In Re : Ajay Roy petitioner

Mr. Sudip Guha

....for the petitioner

Mr. Aditi Sankar Chakraborty, Ld. APP

Dr. Arjun Chowdhury

... for the State

This application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (in short “BNSS”) has been preferred in connection with Malbazar Police Station Case No. 221 of 2025 dated 10.05.2025 under Section 103(1) of the BNS, 2023.

Mr. Guha, learned Advocate appearing for the petitioner, submits that the petitioner has been in custody for 101 days. He further submits that the petitioner may be released on bail on any terms and conditions.

Dr. Chowdhury, learned Advocate appearing for the State, produces the Case Diary and, relying on the materials therein, vehemently opposes the petitioner’s prayer for bail.

Heard the learned Advocates for the respective parties and perused the Case Diary along with the other materials on record,

including the post-mortem report. The post-mortem report indicates that a continuous ligature mark was found on the neck of the victim, and the doctor opined that death was due to the effect of asphyxia. It further reveals clear evidence of penetrative sexual assault, ante-mortem in nature. Subsequently, Section 64(1) of the BNS, corresponding to Section 376 of the Indian Penal Code, has been added.

Considering the grievous nature of the offences, the severity of punishment that may follow in the event of conviction and manner in which the offences were alleged committed, I am not inclined to grant bail to the petitioner at this stage.

Accordingly, application for bail is, thus, rejected.

(Partha Sarathi Chatterjee, J.)