

30.01.2026

Sl. No. DL 41
Court No. 35

ALLOWED

Asraf, A.R.(Ct.)

In the High Court at Calcutta

Criminal Miscellaneous Jurisdiction

Appellate Side

Case No.

CRM (M) 81 of 2026

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Ghola Police Station case no.363 of 2025 dated 27.10.2025 under Sections 69, 79, 89, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

-AND-

In the matter of :

Tapan Dari

.....Petitioner

For the Petitioner :

Mr. Sandipan Ganguly, Sr. Advocate
Mr. Karan Dudhwewala

...Advocates

For the State :

Mr. Joydeep Roy, Jr. Govt. Advocate
Mr. Nirupam Dhali

...Advocates

1. Supplementary affidavit filed by the learned Senior Advocate for the petitioner and report submitted by the learned advocate for the State be kept with the record.
2. Learned Senior Advocate appearing on behalf of the petitioner submits that the petitioner is in custody for 92 days and chargesheet has already been submitted. The facts as depicted from the FIR reflects that the petitioner who was allegedly in a relationship with the alleged victim for which he has been subsequently implicated in a case under Section 69 of the Bharatiya Nyaya Sanhita, 2023.

3. Learned advocate appearing on behalf of the State opposes the prayer for bail and draws the attention of this Court to the statement of the witness under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 as well as the medical document appearing in the case diary.
4. Records of the case reflect that that the victim is aged about 32 years and was an employee of the petitioner's organization at the relevant period of time. Admittedly the relationship was continuing from January, 2022 and subsequently in the year 2025, this case has been registered.
5. Having regard to the period of such relationship as is reflected from the case diary as also the age of the victim, I am of the view that the victim was able to understand the consequences although the same is subject to materials to be placed before the learned Trial Court.
6. Having considered the overall circumstances of the case, I am of the opinion that further custodial detention is unwarranted at this stage.
7. Accordingly, the prayer for bail of the petitioner is **allowed**.
8. As such, the petitioner, namely, Tapan Dari shall furnish bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Barrackpore, North 24 Parganas.

9. If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court in seisin of the case. The petitioner shall not leave the jurisdiction of the learned Additional Chief Judicial Magistrate, Barrackpore, North 24 Parganas without prior permission of the concerned Court.
10. Accordingly, **CRM(M) 81 of 2026** is **disposed of**.
11. Case diary be returned to the learned advocate appearing for the State.
12. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
13. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)