

13.02.2026

Item No.44

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 234 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Harishchandrapur Police Station Case No. 1166 of 2023 dated 08.11.2023 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : **Mahidur Islam**

... Petitioner.

Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha,
Ms. Upasana Banerjee

... For the Petitioner.

Mr. Partha Pratim Das,
Mr. Rahul Ganguly

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner, being the husband of the deceased, is in custody for 7 months 12 days; charges have been framed, but witness action is yet to commence. Learned advocate has relied upon the statement of some of the witnesses under Section 180 of the BNSS.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail.

I have considered the materials appearing in the case diary and I find that there are indications that at the relevant point of time, the present petitioner was engaged in a job outside the State. Having considered the same, I am of the view that further incarceration of the present petitioner in

connection with the instant case is uncalled for. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Mahidur Islam** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chanchal, Malda.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the district of Malda without prior permission of the learned Trial Court.

The application for bail, being CRM (M) 234 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)