

19.02.2026

Court No.35.

D/L. 51.

Kausik

(Rejected)

CRM (M) 304 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Jamuria Police
Station Case No. 378 of 2025 dated 16.08.2025 under Sections
85/80(2)/103(1)/3(5) of the BNS, 2023.

And

In the matter of : Baidyanath Patra

.....Petitioner.

Mr. Apurba Kumar Datta
Ms. Sreemoyee Mukherjee

.....for the Petitioner.

Ms. Baisali Basu, Jr. Govt. Adv.
Mr. Mainak Gupta

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for 165 days and has been
implicated in connection with the instant case relating to the
unnatural death of his wife.

Learned advocate for the State submits that petitioner
was principally involved in manual strangulation leading to the
death of his wife. The marriage was solemnized 4 years ago
prior to the incident. Charge sheet has been submitted,
however charge has not been framed.

Learned advocate for the petitioner submits that
additionally petitioner intends to canvass the issue relating to
neurological problems of compressive myelopathy suffered by
the present petitioner for which treatment is required.

Rebutting such contention learned advocate for the State has submitted that extensively the issue was considered by the learned Sessions Judge in its order dated 14.01.2026.

So far as the health condition of the petitioner is concerned, I am of the opinion that appropriate medical assistance be extended by the Superintendent of Asansol Correctional Home.

It has been informed that petitioner is already under treatment at Bardhaman Medical College and Hospital.

In view of the decision of the Hon'ble Supreme Court in **S.L.P. No. 9327/2025 (AS Ismail Vs. National Investigation Agency)** I direct that proper facilities be extended to the petitioner for medical treatment.

However, so far as the issue relating to bail is concerned, considering the gravity of the offence, I am not inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner in CRM(M) 304 of 2026 is **rejected**.

All parties shall act in terms of server copy of the order 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.)