

08.04.2026

Item No.44

Ct.No.35

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 455 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 Gangarampur Police Station Case No. 67 of 2022 dated 25.01.2022 under Sections 341/302/120B/34 of the Indian Penal Code.

And

In Re : **Kartick Sarkar @ Kartik Sarkar
@ Kartcik Sarkar and another**

... Petitioners.

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Aniruddha Bhattacharyya,
Ms. Anushka Bose

... For the Petitioners.

Mr. Sanjay Banerjee,
Mr. Dipankar Paramanick

... For the State.

Learned senior advocate appearing for the petitioners submits that the petitioners are in custody for more than four years and the prosecution has cited 40 witnesses in the charge-sheet; till date only eight witnesses have been examined.

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

I have taken into account the statement of the wife of the deceased who was present at the relevant point of time. Such statement was before the Judicial Magistrate under Section 164 of the Code of Criminal Procedure. Some of the other accused persons are on bail. Without entering into the merits of the case and considering the period for which the

petitioners are detained, I am inclined to enlarge the petitioners on bail. As such, the prayer for bail of the petitioners is **allowed**.

Accordingly, the petitioners viz., 1. **Kartick Sarkar @ Kartik Sarkar @ Kartcik Sarkar** and 2. **Swapan Roy @ Gondal Roy @ Gondol** shall be released on bail upon furnishing bond of Rs.20,000/- each, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional District and Sessions Judge, Gangarampur at Buniadpur, Dakshin Dinajpur.

If on bail, the petitioners 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 Dakshin Dinajpur without prior permission of the learned Trial Court.

The application for bail, being CRM (M) 455 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.)