

16.04.2026

Item No.28

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 542 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with English Bazar Police Station Case No. 117 of 2025 dated 21.01.2025 under Sections 103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Shyamal Mandal**

... Petitioner.

Mr. Usof Ali Dewan,
Mr. Asif Dewan,
Mr. Mehedi Masud

... For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Soumya Basu Roy Chowdhuri

... For the State.

Mr. Arup Bhowmick

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner is similarly situated as other accused person who has been released on bail by the learned Sessions Judge on 12.06.2025.

Learned advocate appearing for the State also refers to the statement under Section 164 of the Code of Criminal Procedure.

Learned advocate appearing for the *de facto* complainant submits that an application for cancellation of bail is pending so far as the bail which was granted in Crl. Misc. Case No. 1485 of 2025 by the learned Sessions Judge.

Records of the case reflect that the only ground on which the other accused in a case under Section 103(1) of

BNS was granted bail is that charge-sheet has been submitted and the accused is in custody since 03.03.2025. Having considered that no reason on the merits of the case was considered and only charge-sheet having been filed was the consideration by the learned Sessions Judge, I am of the view that since this petitioner surrendered and appeared before the Court after eight months, I am of the opinion that principle of parity do not apply in the present case so far as the case of the petitioner is concerned. As such, at this stage, the prayer for bail of the petitioner is **rejected**.

The application for bail, being CRM (M) 542 of 2026, is, thus, dismissed.

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.)