

23.06.2026

Item No.48

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 788 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Tarakeswar Police Station Case No. 132 of 2025 dated 16.04.2025 under Sections 108(1)/3(5)/351(2) of the Bharatiya Nyaya Sanhita, 2023, under Section 10 of the Prohibition of Child Marriage Act, 2006 and under Section 17 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **XXXXXX Vs. The State of West Bengal & Anr.**

Mr. Abhra Mukherjee,
Mr. Sauradeep Dutta

... For the Petitioner.

Dr. Pradip Banerjee, APP,
Mr. Sanjib Das

... For the State.

Mr. P. Das

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner allegedly is the husband who is in custody for more than 14 months. Charge-sheet has already been submitted and prosecution has relied upon 26 witnesses in support of its case. Case has already been committed to the court of sessions and over a trivial dispute the victim committed suicide. As the trial of the case will consume substantial amount of time, petitioner prays for bail.

Learned advocate appearing for the *de facto* complainant do not oppose the prayer for bail.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail, produces the case diary

and draws the attention of the Court to the statement of the witnesses.

Records of the case reflect that case was initiated under the provisions of Section 103(1) of the BNS along with other relevant provisions of the Special Act. After completion of investigation, the investigating authorities arrived at a conclusion that the case is under Section 108 of the BNS. I have also taken into account the *post mortem* report. Without entering into the merits of the case, only considering the period of detention of the present petitioner and the time which will be required to take the trial to its logical conclusion, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner 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 Chief Judicial Magistrate, Chinsurah, Hooghly.

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 Hooghly without prior permission of the learned Trial Court.

The application for bail, being CRM (M) 788 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.)