25.11.2026
Item No.305
Ct.No.35
dc.
Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 2375 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. 714 of 2026 dated 07.05.2026 under Sections 126(2)/ 117(2)/118(2)/109/103(1)/303(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and charge-sheet submitted under Sections 126(2)/117(2)/118(2)/109/103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (G.R. Case No. 3619 of 2026).

And

In Re : **Joy Deb Sarkar @ Sagar Sarkar**

... Petitioner.

Mr. Mritunjoy Chatterjee,
Ms. Suchismita Chakraborty,
Mr. Debarnab Adhikary

... For the Petitioner.

Mr. Kallol Mondal, Ld. PP,
Mr. Aditya Tiwari,
Ms. Namrata Chatterjee

... For the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than six months, charge-sheet has already been submitted and complicity of the present petitioner is very hazy so far as the present case is concerned.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that there are CDRs available.

I have taken into account the locus of the present petitioner as is revealed from the statements. The petitioner was the one who had taken the deceased as a pillion rider in his motorcycle. Having considered the overall materials appearing against the present petitioner, I am of the opinion

that further detention of the present petitioner in connection with the instant case is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Joy Deb Sarkar @ Sagar Sarkar** 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, Malda.

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

Additionally, the petitioner shall meet the Officer-in-Charge/Inspector-in-Charge, English Bazar Police Station or any police personnel deputed by the Officer-in-Charge till the charges are framed before the learned Trial Court.

The observations made above are only restricted for adjudication of the bail application and should not be considered a final opinion on the merits of the case.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

The application for bail, being CRM (M) 2375 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.)