25.11.2026
Item No.307
Ct.No.35
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 2385 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Azimganj GRPS Case No. 16 of 2026 dated 17.07.2026 under Sections 138/105/117(2)/118(2)/324 of the Bharatiya Nyaya Sanhita, 2023 (G.R. Case No. 3342 of 2026).

And

In Re : **Anup Karmakar**

... Petitioner.

Mr. Sabyasachi Chatterjee,
Mr. Dipankar Das

... For the Petitioner.

Mr. Kallol Mondal, Ld. PP,
Mr. Ooiseeroop Sinha,
Ms. Shyanti Poddar

... For the State.

Learned advocate appearing for the petitioner submits that petitioner was engaged for the operation of signal and employed as a gateman of the railways and because of his inadvertence, according to the learned advocate, an incident occurred pursuant to which he has been taken into custody. Petitioner is in custody for more than 4 months 10 days.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that five individuals died because of the act and action of the present petitioner. Petitioner did not take steps in spite of information being received and after one of the trains passed, he opened the gate leading to the crowd crossing the railway tracks which resulted in the death of five individuals including four children. State submits that petitioner

presently is delaying the trial; as such, till date charges could not be framed.

I have accepted the prosecution case on its face value and I am of the opinion that although there may have been knowledge, but there was no intention on the part of the present petitioner towards the death of five individuals. Having considered the overall circumstances of the case, I am of the opinion that further detention of the present petitioner in connection with the instant case is unwarranted, but there has been a contribution towards the delay as till date charges could not be framed.

Accordingly, I grant bail to the petitioner on condition that bonds of the petitioner would be accepted by the learned Trial Court after the charges are framed.

Learned Trial Court is directed to release the petitioner viz., **Anup Karmakar** on bail on such terms and conditions as it deems fit and proper after the charges are framed.

Additionally, it is directed that after release, petitioner would meet the Officer-in-Charge/Inspector-in-Charge, Azimganj GRPS or any officer deputed by the Officer-in-Charge till the evidence of vulnerable witnesses is over.

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

With the aforesaid observations, the application for bail, being CRM (M) 2385 of 2026, is 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.)