09.10.2026

Sl. No. DL 19
Court No. 550
ALLOWED

Asraf, A.R.(Ct.)

In the High Court at Calcutta

Criminal Miscellaneous Jurisdiction

Case No.

CRM (M) 2493 of 2026

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed

in connection with

Durgapur Police Station case no.203 of 2026 dated 19.04.2026 under Sections 85, 80(2), 61(2), 317(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 3 and 4 of the Dowry Prohibition Act, 1961.

-AND-

In the matter of :

NISHAN SETH @ NESHAN SETH

.....*Petitioner*

For the Petitioner :

Mr. Sujon Chatterjee
Mr. Rohan Bavishi

...*Advocates*

For the State :

Dr. Pradip Banerjee, APP
Mr. Amal Kumar Datta
Mr. Ayan Mitra

...*Advocates*

1. Learned counsel for the petitioner submits that the petitioner is the husband of the victim and is in custody for five months. Investigation is complete. Other accused persons were granted bail. He prays for bail of the present petitioner.

2. Learned counsel for the State vehemently opposes the prayer for bail of the petitioner and submits that there are sufficient incriminating materials against the petitioner and as such, the prayer for bail should be rejected. He submits

that the death of the victim took place within two years of her marriage. The victim was subjected to torture by her in-laws, failing to bear with such mental torture, the victim committed suicide.

3. I have gone through the materials on record. It appears that the investigation is complete. It further appears that the victim committed suicide by hanging. As the investigation is complete, I am of the opinion that further custodial detention of the present petitioner is not required. Accordingly, the prayer for bail of the petitioner stands **allowed**.

4. As such, each of the petitioner shall furnish bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of Rs.5,000/- (Rupees Five Thousand only) each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Durgapur subject to condition that the petitioner shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and also on further condition that the petitioner shall be physically present on each and every date before the learned Trial Court in seisin of the case and shall not leave the district of Paschim Bardhaman without prior permission of the concerned Trial Court.

5. In the event, the petitioner fails to comply with any of the conditions as mentioned hereinabove without justifiable cause, the learned Trial Court shall be at liberty to cancel

his bail in accordance with law without further reference to this Court.

6. With the above observations, the instant application for bail is disposed of.

7. Case diary be returned to the learned advocate appearing for the State.

8. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.

9. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Apurba Sinha Ray, J.)