26.11.2026
Item No.44
Ct.No.35
dc.
Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 3036 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Shyampur Police Station Case No. 278 of 2024 dated 21.07.2024 under Sections 118(2)/109/103/ 238/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Raja Khan**

... Petitioner.

Mr. Sk. Toslim Ali

... For the Petitioner.

Mr. Kallol Mondal, Ld. PP,
Mr. Anamitra Banerjee,
Mr. Sreyash Kumar Singh

... For the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for about 2 years 3 months; till date, four witnesses have been examined and prosecution intends to examine 22 witnesses.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that this is the present petitioner who has struck the vital blow.

I have taken into account the genesis of the case. The genesis of the case arose in course and towards the end of a settlement or discussion taking place which is evident from the materials appearing in the case diary. So far as assaulting and inflicting the vital blows by the petitioner with his knife is concerned, there is no dispute to the same, but considering the suddenness of the incident which is involved in the present case, I am of the opinion that a premeditated

design is lacking in this case. Having considered the same, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Raja Khan** 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 Additional Chief Judicial Magistrate, Uluberia, Howrah.

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 Howrah without prior permission of the learned Trial Court.

Additionally, the petitioner shall stay outside the jurisdiction of Shyampur Police Station till the evidence of vulnerable witnesses is completed 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) 3036 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.)