26.11.2026
Item No.45
Ct.No.35
dc.
Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 3037 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Palashipara Police Station Case No. 202 of 2026 dated 26.04.2026 under Sections 329(3)/115(2)/ 117(2)/118(1)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023 and adding Section 103 of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Atikul Biswas**

... Petitioner.

Mr. Bibaswan Bhattacharya,
Mr. Asraf Mandal,
Mr. Poonnug Roy

... For the Petitioner.

Mr. L. Vishal Kumar,
Mr. Sanjib Das

... For the State.

Mr. Amanul Islam,
Mr. Sourav Mukherjee

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than seven months, charge-sheet has already been submitted and genesis of the dispute was on discussion amongst the families over the issue relating to marital dispute. Petitioner's name appears as one of the assailants.

Learned advocate appearing for the *de facto* complainant opposes the prayer for bail.

Learned advocate appearing for the State opposes the prayer for bail and produces the case diary.

I have taken into account the statement under Section 183 of the BNSS. Having considered the overall facts of the

case particularly the genesis of the incident, I am of the opinion that petitioner do not have a criminal incident. The only issue is anger and management, petitioner may have knowledge regarding the resulted circumstances. However, a further comment on the merits is restrained by this Court. Having regard to the fact that the petitioner is in custody for seven months, charge-sheet has already been submitted and there are no antecedents against the present petitioner, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Atikul Biswas** 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, Tehatta, Nadia.

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 Nadia without prior permission of the learned Trial Court.

Additionally, the petitioner shall stay outside the jurisdiction of Palashipara Police Station and shall enter the said jurisdiction once in a week for the purposes of attending the police station. Such condition would continue till the evidence of vulnerable witnesses is over.

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) 3037 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.)