

30.01.2026

Item No.3
Ct.No.35
dc.
Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 40 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Krishnagar Kotwali Police Station Case No. 427 of 2025 dated 06.04.2025 under Sections 103/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Bikash Mondal**

... Petitioner.

Mr. Prabir Majumder,
Mr. Snehansu Majumder,
Mr. Debraj Shil

... For the Petitioner.

Mr. Saibal Bapuli, APP,
Ms. Trina Mitra

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 8 months 11 days and he has been implicated on the basis of suspicion. There is no direct evidence so far as the present petitioner is concerned except hearsay evidence.

Be that as it may, I have perused the available witnesses relied upon in the charge-sheet as well as the statement of wife of the deceased. The wife of the deceased refers to one Joydeb who has not been named as a witness in the charge-sheet. The *post mortem* report also calls for an explanation which is not within the ordinary ambit of medical jurisprudence. The *post mortem* doctor has also not been made a witness in the case.

The Additional SP/SDPO in-charge of Krishnagar Kotwali Police Station would monitor the further investigation being conducted by the police authorities

because of the deficiencies which may lead to futile efforts of the prosecution at the end of the trial.

Having considered the overall materials presently available, I am of the view 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., **Bikash Mondal** 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, Nadia at Krishnagar.

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

Since a further investigation is expected in this case, petitioner shall meet the Investigating Officer of the case once in a month and make himself available as and when required.

The post mortem doctor, pursuant to the order dated 27.01.2026, is present before this Court. His further appearance before this Court is dispensed with.

The application for bail, being CRM (M) 40 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.)