

12.02.2026

Item No.59

Ct.No.5

b.das

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 6 of 2026

In Re : An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jalpaiguri Women Police Station Case No. 211 of 2025 dated 18.11.2025 under Section 69 of the BNS.

And

In Re : **Prashanta Sarkar**

... Petitioner

Mr. Joydeep Kanta Bhowmik

Mr. S. Bhowmik

Mr. S. Kumar

Ms. Sayantani Das

... for the Petitioner

Mr. Saikat Chatterjee

Mr. Chattu Roy

... For the State

Affidavit of service filed by the petitioner is taken on record.

None appears for the victim despite service.

Learned counsel for the petitioner submits that the petitioner and the victim are majors and there was a consensual relationship between them which turned sour subsequently. The petitioner has been falsely implicated and prays for bail. Charge sheet has been submitted and the case has been committed to the Court of Sessions.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The victim appears to be a major. The record reveals that there has been a consensual relationship between the

parties. The victim has conceived as a result of such relationship. She has refused medical examination.

Considering the material on record and also since it is submitted by the petitioner that charge sheet has been submitted, further detention of the petitioner is not required for the purpose of custodial interrogation.

Accordingly prayer for bail of the petitioner is allowed.

The petitioner **Prashanta Sarkar** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri subject to condition that he shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as mentioned above 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.

The application being C.R.M. (M) 6 of 2026 is disposed of.

Case Diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)