

**High Court at Calcutta
In the Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction
Appellate Side**

27.03.2026

19
Ct. No. 07
A.s
(Allowed)

C.R.M.(M) 55 of 2026

In Re:- An application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Samuktala
Police Station Case No.135 of 2025 dated 11.06.2025, under
Sections 6 of the POCSO Act,2012 and adding Section 107 of
BNS;

And

In the matter of : **Binay Das**

..... petitioner

Mr. Bikramaditya Ghosh, Adv.
Mr. Ved Rai, Adv.
Mr. Binayak Bandopadhyay, Adv.
...for the petitioner

Mr. Kallol Acharjee, Advocate
Mr. Dhimon Sil, Advocate
...for the State

Ms. Jena Chowdhury, Adv.
...for de facto complainant.

1. Petitioner, State and the de facto complainant are represented.
2. Victim apparently committed suicide by consuming poison. Victim made a dying statement on June 10, 2025 where she claimed that, she was in a relationship with the petitioner and that the petitioner broke such

relationship. She could not accept such position and, therefore, consumed poison.

3. Victim also recorded a statement under Section 180 of the BNSS where she stated that, there was a physical relationship between her and the petitioner.
4. Victim was 17 years of age at the time of her death.
5. Police filed charge-sheet.
6. Issue as to whether the petitioner abetted in the commission of the suicide may be decided at the trial, if raised.
7. Considering the period of detention and the fact that police filed charge-sheet and the materials in the case diary filed, including the dying statement and the statement under Section 180 of BNSS, I grant bail to the petitioner.
8. Consequently, prayer for bail of the petitioner is **granted**.
9. Accordingly, I direct that the petitioner shall be released on bail upon furnishing a 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 Judge, Special Court (under POCSO Act), Alipurduar, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

10. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
11. The prayer for bail is **allowed**.
12. **CRM(M) 55 of 2026** is **disposed of**.

(Debangsu Basak, J.)