

12.03.2026
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JPG 1
Court 237
Allowed

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (M) 75 of 2026

In Re: - An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Siliguri P.S. Case No. 117 of 2026 dated 03.03.2026 under Sections 281/125(b)/110 of Bharatiya Nyaya Sanhita, 2023, pending before the Learned Additional Chief Judicial Magistrate at Siliguri (GRO).

And

In the matter of: Gopal Ch. Deb

.... Petitioner

Mr. Rajdeep Mazumder, Sr. Advocate
Mr. Avrojoyti Das
Ms. Arushi Rathore

... For the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. A.P.P
Mr. Ujjwal Luksom

... For the State

The petitioner was apprehended on March 3, 2025. It appears that the victim lady was hospitalized for about six days. The nature of the injuries sustained by her appears to be a fracture of the proximal tibia (left) and a soft tissue injury over the left proximal thigh. Thereafter, she was discharged from the hospital.

I find justification in the submissions advanced on behalf of the petitioner that it was necessary for the Investigating Officer to issue a notice under Section 35B of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is not the case of the prosecution that the petitioner was intoxicated while driving.

In view of the length of detention of the petitioner in custody, and having regard to the nature of the allegations levelled against him

and the materials collected during the course of investigation, I am of the view that further detention of the petitioner is not warranted.

Accordingly, CRM (M) 75 of 2026 is allowed, and the petitioner is granted bail on condition that he shall furnish a bond of Rs. 5,000/- (Rupees Five Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri.

The petitioner shall meet the Investigating Officer once in a fortnight until the filing of the charge-sheet.

(Kausik Chanda, J.)