

27.03.2026
Item No.34
Court No.7
KB
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

C.R.M. (M) 81 of 2026

In Re:- An application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with **Darjeeling**
Sadar Police Station Case No. **111 of 2025** dated **29.10.2025**,
under Sections **64/74/351 (2)** of the BNS, 2023.

And

In the matter of : **Somresh Chettri**
.....Petitioner

Mr. Hillol Saha Poddar, Advocate
...for the petitioner

Mr. Ujjwal Lucksom, Advocate
Mr. Chattu Roy, Advocate
...for the State

1. Petitioner and the State are represented.
2. Affidavit of service filed in Court be taken on record.
3. None appears for the *de facto* complainant despite service.
4. Victim recorded her statements under Section 183 of the BNSS, where stated that, the first incident of rape occurred on April 21, 2025 and the second instance of molestation occurred in August, 2025 and thereafter, the police complaint was lodged on October 29, 2025.
5. Petitioner is in custody for 121 days. Police filed charge sheet.

6. Victim is about 20 years of age as claimed by her in her statement under Section 183 of the BNSS.
7. Considering the period of custody and the fact that the police filed charge sheet and the content of the statement under Section 183 of the BNSS, it would be appropriate to grant bail to the petitioner.
8. 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 Chief Judicial Magistrate, Darjeeling**, 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.
9. 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.
10. The application for prayer for bail is **allowed**.
11. **CRM (M) 81 of 2026** is **disposed of**.

(Debangsu Basak, J.)