

29.06.2026
Sl. No.149
Court No.7
Susanta

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

CRM (M) 112 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagrik Suraksha Sanhita 2023 filed in connection with Bhaktinagar Police Station Case No.238 of 2026 dated 18.03.2026 under Sections 64(1)/127(2)/118(1)/109(1)/303(2)/79/351(2) of the BNS 2023.

In Re : Abhinav Ghosh @ Abhinabo Ghosh.

... *Petitioner.*

Mr. Sourav Ganguly
Mr. Somraj Paul
Ms. Rishita Chakraborty
Mr. Gopal Roy
Mr. Subham Ghosh

... *for the Petitioner.*

Mr. Avrojoyti Das, Ld. APP
Mr. Atul Dong

... *for the State.*

1. Heard submissions made on behalf of both the parties.
2. Perused the report of the Investigation Officer dated 8th June, 2026 addressed to the learned Additional Public Prosecutor wherein it is clear mentioned that the I.O. visited the rented house of the de-facto complainant for serving copy of the order but she could not be found. The I.O interacted with the landowner and recorded her statement under Section 180 BNSS. The phone number which was provided by the victim girl is not in service.
3. From the supplementary affidavit filed by the petitioner affirmed on 12th June, 2026 it appears that the investigation of the case is over and charge-sheet has been filed against him. The de

facto complainant is neither reachable over phone nor available in her rented apartment.

4. In the charge-sheet it is mentioned that supplementary charge-sheet may be filed after receipt of RFSL report and the verification report of the Aadhaar Card of the de-facto complainant upon collection of further evidence.
5. From the supplementary affidavit filed by the petitioner affirmed on 8th June, 2026 it appears that a complaint was lodged against the de-facto complainant by the mother of the petitioner. The complaint was treated as F.I.R as per the direction passed by the learned Judicial Magistrate, Jalpaiguri in MP Case No. 118/26 under Section 175(3) of BNSS. F.I.R. No. 414/26 under Sections 308/338/339/340(2)/111/351(2)/3(5) BNSS has been registered against the de-facto complainant. Investigation of the F.I.R against the victim is pending. The lady is not traceable.
6. The petitioner is in custody since 18th March, 2026.
7. In view of the fact that charge sheet has already been filed in the instant case and further custodial interrogation of the petitioner may not be required, I am of the opinion that further detention of the petitioner is unwarranted.
8. As such, the prayer for grant of bail of the petitioner is allowed.
9. The petitioner, viz. **Abhinav Ghosh @ Abhinabo Ghosh** is released on bail of Rs. 20,000/- (rupees twenty 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 the condition that the

petitioner shall appear before the learned Trial Court on every date of hearing until further order. The petitioner shall not threaten, tamper or intimidate the complainant or members of the family in any manner whatsoever or commit similar offence in future. The petitioner shall not leave the jurisdiction of the learned Trial Court until further order.

10. In case the petitioner violates any such condition, the prosecution will be at liberty to move an application for cancellation of bail.
11. Accordingly, CRM (M) 112 of 2026 is **allowed**.
12. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.
13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)