Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

JPD/25
Court No.7
23.10.2026
tbsr
(Allowed)

From Principal Bench

CRM (M) 283 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pundibari Police Station Case No. 310 of 2025 dated 01.04.2025 under Sections 103 of BNS, 2023.

And

In the matter of : Debraj Barman

.....Petitioner.

Mr. Joydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
.....for the Petitioner.

Mr. Avrojyoti Das, ld. APP
Ms. Ruchika Agarwala
Mr. Debabrata Rai
.....for the State.

1. The petitioner and the State are represented.
2. At the time of hearing, Mr. Bhowmik, learned advocate appearing on behalf of the petitioner submits before this Court that considering the fact that charge sheet has already been submitted and also considering the period of detention, the instant application for bail may be considered favourably. It is further submitted by Mr. Bhowmik that the involvement of the present accused petitioner in the alleged crime is very remote.
3. Such prayer is vehemently opposed by Ms. Agarwala, learned advocate appearing on behalf of the State.

4. Drawing attention of this Court to the various statements of the witnesses as recorded in course of investigation, it is submitted by Ms. Agarwala that the involvement of the present accused petitioner in alleged murder is found to be prima facie prominent.
5. On careful perusal of the entire materials placed before this Court, it appears that the instant case is based on circumstantial evidence. This Court has meticulously gone into the relevant statements of the witnesses, who stated that on the relevant day and hour the present accused petitioner was found standing at a distance from the place where the dead body of the deceased was lying.
6. Considering the entire circumstances, the period of detention and keeping in mind that no case has been made out on behalf of the State that in the event the present accused petitioner is enlarged on bail, he may abscond and/or tamper with the evidence, this Court is inclined to allow the application.
7. It is ordered that the present accused petitioner may find bail of Rs. 10,000/- (Rupees Ten Thousand Only) with two registered sureties of Rs. 5,000/- (Rupees Five Thousand Only) each subject to the satisfaction of Learned Chief Judicial Magistrate, Cooch Beher on condition that the present accused petitioner shall appear before the learned Trial Court on each and every date of substantive hearing and shall not leave the territorial jurisdiction of the District Cooch Beher till conclusion of trial unless permitted by the learned

Trial Court. It is further directed that the present accused petitioner shall not tamper with the evidence and/or shall not cause any threat or intimidation to any of the charge sheeted witnesses failing which the learned Trial Court will be at liberty to cancel the bail as granted by this Court.

8. Accordingly, CRM (M) 283 of 2026 is allowed.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Partha Sarathi Sen, J.)