CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

25.11.2026
Ct No.5
Item No.38
cm

CRM (M) 303 of 2026

In Re:- An application for Bail under Section 483 of the Bharatiya Ngarik Suraksha Sanhita, 2023 in connection with Kotwali Police Station Case No. 486 of 2025 dated 30.08.2025 under Section 103(1) of Bharatiya Nyaya Sanhita, 2023.

And

In Re: Jyotirmoy Roy.

.....Petitioner

Mr. Saikat Chatterjee Adv.
Ms. Purbasha Sarkar, Adv.
Mr. Tathagata Banerjee, Adv.

...for the petitioner

Mr. Janardan Periwal, Ld. Jr. P.P.
Ms. Suman Sehanabis, Adv.,
Ms. Baishali Chakraborty, Adv.

...for the State.

1. The learned advocate representing the petitioner submitted the petitioner to be in custody since 17th of July, 2025. The charge-sheet has been filed on 12.12.2025 and supplementary charge-sheet has been filed on 11th March, 2026. The charges have not yet been framed. The petitioner had been falsely implicated in the instant case without any eye witness on record. Considering the long period of incarceration and the possibility of completion of trial imminently being remote, he prayed for grant of bail.
2. The learned advocate representing the State vehemently opposed the prayer for grant of bail urging that the entire episode of the alleged commission of the offence is based on circumstantial evidence and referred to Page 104 in the case diary whereby the

mobile phone of the victim had been recovered from the possession of the petitioner and also at Page 125 in the case diary where the vehicle being a Toto belonging to the victim had been recovered from the possession of the petitioner. The petitioner had been absconding for a considerable period of time, thereafter, arrested on 17th July, 2025. Considering the conduct of the petitioner and the possibility of further absconsion and the gravity of the alleged offence, he opposed the prayer for grant of bail.

3. The Coordinate Bench of this Court had rejected the prayer for bail on 19th February, 2026. The materials on record referred to *prima facie* indictment of the petitioner and considering the nature of intensity of the alleged offence the prayer for bail is considered and rejected.
4. Accordingly, CRM(M) 303 of 2026 is disposed of.
5. The Learned Advocate representing the petitioner may advise the petitioner to renew the prayer for bail after recording the evidence of the vulnerable witnesses.
6. The Learned Trial Court as well as the Learned Advocate representing the prosecution before the Trial Court is to expedite the process of framing charges and recording the evidence of the vulnerable witnesses. The Learned Trial Court shall not unnecessary grant of adjournment to either of the parties disregarding cease work, if at all, called by the local Bar.

(Ananya Bandyopadhyay, J.)