8.10.2026
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SB
Ct no. 5
Rejected

Calcutta High Court
In the Circuit Bench at Jalpaiguri

C.R.M. (M) 327 of 2026

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Sessions case no. 155 of 2026 arising out of Rajganj Police Station case no. 26 of 2026 dated 22.1.2026 under Section 117(2)/109 of the BNS.

And

In the matter of : **Sariful Alam**

.... Petitioner

Mr. Anirban Banerjee ...for the Petitioner

Ms. Panchali Deb Sikder (Nag)
Mr. Urgen Lama
Mr. Arko Sarkar ...for the State

The allegations leveled in the FIR are to the effect that the petitioner had a love affair with the niece of the defacto-complainant and the petitioner had allegedly raped her and for which, the victim earlier lodged an FIR against the present petitioner. Thereafter, the petitioner was enlarged on bail but he again started mixing with the niece of the defacto-complainant and on 22.1.2026 at about 2.00 hours, the petitioner set fire on her body and the victim sustained severe burn injury and thereafter succumbed to her injuries.

Learned counsel for the petitioner in support of his bail prayer submits that the petitioner is innocent and no way connected with the alleged offence. Furthermore, the material discloses that the injured victim was taken to the hospital by

the petitioner for her medical treatment. Therefore, the petitioner cannot have any guilty mind for committing such offence. He further submits that the charge-sheet has already been submitted but the trial has not yet commenced and therefore, he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the bail prayer contending that the petitioner is the principal accused and he is not on the same footing with that of the accused persons, who are on court bail. Considering the nature and gravity of the allegations leveled against the petitioner, he should face the custody trial.

I have considered the submissions made on behalf of both the parties and also perused the materials collected during investigation. It revealed during investigation that though the petitioner might have brought to the victim to the nursing home authority but she was admitted giving false identity and the specific allegation against the petitioner is that he took the deceased to an empty field near her house and set her on fire by pouring patrol on her body.

Considering the nature and gravity of the allegation and also materials collected during investigation, the prayer for bail made by the petitioner is rejected.

Accordingly, CRM (M) 327 of 2026 is disposed of.

However, the Trial court is directed to expedite the trial.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)