

07.01.2026
Serial no. 2
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 852 of 2025

In re : An Application under Section **482** of the BNSS, 2023/under Section 438 of the Cr.P.C. in connection with **Kotowali Police Station Case No. 782 of 2025 dated 22.09.2025 u/s 108/61(2) of the BNS, 2023 corresponding to GR Case No. 1678 of 2025.**

-And-

In the matter of : Goutam Sarkar

... Petitioner(s)

Mr. Hillol Saha Poddar

... for the petitioner(s)

Mr. Ujjwal Luksom
Ms. Namrata Das

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is the father of one Sathi Sarkar who was responsible for a relationship and, consequently, the commission of suicide of the deceased namely, one Binay Debnath.

Additionally, it has been submitted that the petitioner is innocent of the charges and has been implicated in the instant case because of the frustration of the defacto-complainant who has lost his brother.

Learned advocate for the State has produced the original Case Diary and drawn the attention of the court to the post-mortem report which reflects that death was due to consumption of poison.

The accusations are that the petitioner over mobile phone threatened the deceased for which the deceased was unable to tolerate the mental torture inflicted upon him and he was also threatened for being assaulted in order to marry the daughter of the petitioner. The Case Diary do not reflect that even the mobile phone of the deceased has been seized.

Having regard to the same, I am of the opinion that further custodial detention of the petitioner may not be warranted in the facts and circumstances of the present case.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, I direct that in the event of arrest, the petitioner be released on bail upon furnishing bond of Rs.20,000/-(Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

The petitioner shall on and from 10th January, 2026 once in a week meet with the Investigating Officer of the case until further orders of this court and/or charge-sheet is submitted. The petitioner also shall not leave the jurisdiction of the district of Cooch Behar without prior permission of the investigating officer of the case.

The Investigating Officer of the case is present in court today. His further appearance before this court for the day is dispensed with.

Accordingly, CRM(A) 852 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

