D/L 52

17.11.2026
Rohit, A.R.(Ct.)
ct.no.5
Allowed

In the High Court at Calcutta

Criminal Miscellaneous Jurisdiction
Circuit Bench at Jalpaiguri

C.R.M (M) 397 of 2026

Habibullah Shiekh
Vs
The State of West Bengal

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **New Jalpaiguri** Police Station Case No. **211** of **2026** dated **06.04.2026** under Sections **329(4)/324(4)/115(2)/118(2)/109/74/76/123/3(5)** of the BNS.
And
In the matter of : Habibullah Shiekh

...Petitioner.

Ms. Susmita Ghosh
Ms. Rajashree Mukherjee

...for the Petitioner

Mr. Avrojyoti Das, Ld. A.P.P
Ms. Suman Sehanabis
Mr. Mayank Bhandari

...for the State

1. The learned Advocate representing the petitioner submitted the dispute between the parties to be civil in nature concerning possession and/or delivery of land between father and her daughter. The petitioner had been falsely implicated in the instant case and had been in custody since 10.06.2026. The charge-sheet has been filed on 08.09.2026 and seeks for grant of bail.

2. The learned Advocate representing the State opposed the prayer for bail stating of grievous injury as would be evident from the materials on record in the case diary and the statements recorded under Section 183 of the BNSS.

3. The narrative of the complaint, the statements recorded under Section 180 and 183 of the BNSS as well as the injury report placed in the case diary are inconsistent. The nature of wounds to

have been inflicted upon the victim described in the complaint are contrary to the nature of injury cited in the injury report. Since the charge-sheet has been filed no further investigation is required and the prayer for bail is considered and allowed.

4. Accordingly, Petitioner, namely, **Habibullah Shiekh** shall furnish bond of Rs. 25,000/- (Rupees Twenty Thousand Only) with two sureties of like amount each, one of whom must be local to the satisfaction of Learned Chief Judicial Magistrate, Jalpaiguri.

5. The petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition the petitioner shall meet with the Officer-in-Charge of the concerned Police Station once in a month until further orders.

6. In the event the petitioner fails to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel his bail automatically without reference to this Court.

7. Accordingly, CRM (M) **397** of 2026 is **allowed**.

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Ananya Bandyopadhyay, J.)