08.10.2026
Sl. No.15
Mithun
Ct no. 5
(Rejected)

Calcutta High Court
In the Circuit Bench at Jalpaiguri

C.R.M. (M) 398 of 2026

In Re:- An application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with G.R. Case No.276 of 2026, corresponding to Cooch Behar Kotwali P.S. Case No.141/2026 dated 23.02.2026 under Sections 85/103(1)/3(5) of the BNS, 2023.

And

In the matter of : **Rajdeep Barua @ Chintu**

.... Petitioner

Dr. Arjun Chowdhury,
Ms. Sunayana Parveen,
Ms. Riya Agarwala

...for the Petitioner

Mr. Avrojyoti Das, Ld. APP.,
Mr. Reshab Kumar,
Mr. Abhilash Mittal

...for the State

In this application, the petitioner has prayed for bail on the ground that charge-sheet has already been submitted and that he is in custody for 228 days.

The allegation leveled in the complaint is that on 23.02.2026 at about 17:30 hours, the petitioner stabbed complainant's sister with sharp cutting weapon with a view to kill her Thereafter, the victim was brought to Cooch Behar Hospital where the attending Doctor declared her dead.

In support of his bail prayer, learned Counsel appearing on behalf of the petitioner submits that the entire case is based on circumstantial evidence. None of the

witnesses cited by the prosecution is stated to have seen the petitioner assaulting the deceased or has caused the fatal injuries. The prosecution case principally based upon alleged telephonic conversation with one Bibek Podder where the petitioner informed him that he had killed his wife. However, during investigation petitioner has denied such allegation. She further submits that it will take time to conclude the trial and, therefore, his further detention will not yield any fruitful result.

Learned Counsel appearing on behalf of the State opposed the bail prayer contending that other accused persons are absconding till date. The present petitioner is the principal offender and sufficient materials have been collected during investigation. At this stage, if the petitioner is released on bail, there is every likelihood that he will also abscond and the trial will be protracted.

Having considered submissions made on behalf of the petitioner and the State and also on perusal of material collected during investigation and also considering the fact that if the petitioner released on bail, there is every likelihood of evading the trial by the petitioner. The prayer for bail made by the petitioner is rejected.

However, the Trial Court is requested to expedite the trial and if required by splitting the case record so far as the present petitioner is concerned.

Accordingly, CRM (M) 398 of 2026 is **disposed of.**

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.)