

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

30.06.2026
Ct No.5
Item No.42

In Re:- An application for admission of appeal under Section 374(2) of the Code of Criminal Procedure, 1973, corresponding to Section 415(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

S.K.

**CRA(SB)/7/2026
(CRAN 2 of 2026)**

In the matter of: **Nanda Kishore Sha @ Nanda Kishore Saha @
Nand Kumar Suri**

Ms. Angana Rakshit
Ms. A. Das
Mr. Sudipta D.Ghosh

....For the applicant

Mr. Avrojoyti Das, ld. APP
Mr. Gobinda Ghosh

.....For the State

In Re: CRAN 2 of 2026:

1. Learned advocate for the appellant has moved application being CRAN 2 of 2026, which is for suspension of sentence.
2. The appellant has been found guilty of the offence under Section 326 of the I.P.C. and sentenced to suffer simple imprisonment for a period of five years with fine.
3. It is submitted that the judgment of conviction and sentence would not be sustainable in the eye of law in view of several gross inconsistencies present in the evidence of the case.
4. It is also submitted that the appellant has already undergone imprisonment post conviction, from October 2025.
5. Having considered all as above and also the fact that there is no immediate scope for hearing of this appeal the prayer for bail of the appellant is allowed.
6. The judgment and order of conviction and sentence is suspended during pendency of this appeal. Let the appellant,

namely, **Nanda Kishore Sha @ Nanda Kishore Saha @ Nand Kumar Suri** find bail bond of Rs. 10,000/- with two sureties of like amount subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Alipurduar. He shall appear before the Court, whenever his appearance is sought for.

7. Since the trial court record is available, the Registry is directed to prepare the paperbooks immediately.
8. Let this matter be adjourned today and listed after a period of six weeks from date.
9. CRAN 2 of 2026 stands disposed of.

(Rai Chattopadhyay, J.)