

30.07.2026
Item No.20
Court No.9
CHC
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

C.R.M.(M) 193 of 2026

In Re:- An application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023; in connection with Khoribari
Police Station Case No.214 of 2025 dated 29.07.2025, under
Sections 103/238/3(5) of the Bharatiya Nyaya Sanhita (BNS),
2023.

And

In the matter of : **Bimal Barman**

..... petitioner

Ms. Rima Sarkar, Advocate
Ms. Sidhi Sethia, Advocate
...for the petitioner

Mr. Avrojoyti Das, Ld. A.P.P.
Mrs. Panchali Deb Sikder (Nag), Ld. Sr. Govt. Advocate
Mr. Atul Dong, Advocate
...for the State

1. Bail prayer of the petitioner is taken up for consideration.
2. It is submitted by the learned advocate for the petitioner
that petitioner was not named in the First Information
Report. Subsequently, petitioner and another accused
have been arrested by police on the basis of suspicion.
The petitioner has been in custody for one year.
Chargesheet has already been submitted. Charges stood
framed. The case is fixed for recording of evidence on
behalf of the prosecution. Learned advocate for the
petitioner seeks bail on the ground of prolonged

incarceration. It is also submitted that there is no direct evidence as against the present petitioner. Petitioner and another accused have been arrested by police on the basis of CCTV footage which showed that the petitioners were seen together with the victim. There is no direct evidence as against the petitioner. She prays for bail.

3. On the other hand, learned advocate for the State relies upon the materials in the Case Diary including the confessional statement of the present petitioner recorded while in custody. She also refers to the Post Mortem Report. She opposes the prayer for bail.
4. The victim/Toto driver was found dead. The dead body was recovered. Post Mortem Report goes to show that there was ligature mark on the neck of the victim and there are multiple abrasions. After recovery of the dead body, a police case was started. From the materials in the Case Diary including the chargesheet, it transpires that the Investigating Officer checked the CCTV camera in the locality where the dead body was found. One such CCTV camera was found and its footage shows that present petitioner and another accused were seen in the Toto driven by the victim at about 21.37 hrs. on July 28, 2025. On the basis of such CCTV footage, the present petitioner and another were apprehended and chargesheet was submitted against them. It also transpires from the materials on record that petitioner and another accused

have been in custody for about a year. Charges stood framed but the recording of evidence of the prosecution is yet to be started.

5. In the aforesaid facts and circumstances of the case and also considering the period of detention undergone by the petitioner, I am inclined to enlarge the petitioner on bail.
6. Consequently, prayer for bail of the petitioner is allowed.
7. Accordingly, I direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the Learned Additional Sessions Judge, 2nd Court, Siliguri, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
8. In the event, petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.
9. **CRM(M) 193 of 2026 is disposed of.**

(Md. Shabbar Rashidi, J.)