

20 18.12.2025
PB Ct. No.03
(Allowed)

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri
Appellate Side

C.R.M. (M) 276 of 2025

In Re: - An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed on 29.08.2025 in connection with
Matteli P.S. Case No.115 of 2023 dated 02.07.2023 under Sections
341/342/384/323/120B/34 of the IPC.

And

In the matter of: Bishal Kharia & Ors.

... .. petitioners.

Mr. Sudhindra Das.

... .. for the petitioner.

Mr. Aditi Shankar Chakraborty,
Mr. Subhasish Misra.

... .. for the State.

Learned advocate for the petitioner has sought for an order of
bail for the petitioners on the ground of parity as the Court has released
the co-accused persons previously on bail.

On behalf of the State, there is serious objection, particularly on
the basis of the injury report as well as the statement of the victim as
available in the case diary.

It appears that the petitioners are in custody for 895 days. It
further appears that the Court earlier released co-accused persons on
bail for the reason that his name has not been mentioned in the Section

164 statement of the victim. In that view of the matter, the present petitioners can insist for the ground of parity, as their name has not been mentioned in the record statement Section 164 Cr.P.C.

Considering the case diary and submissions made on behalf of the respective parties, the bail prayer of the petitioners are allowed.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs. 30,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the learned District & Sessions Judge, Special Court, Malbazar, subject to the condition that they shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses nor tamper with evidence in any manner whatsoever.

The application for bail is, thus, allowed.

(Rai Chattopadhyay, J.)