

D/L 264

23.07.2026
Rohit, A.R.(Ct.)
ct.no.35
Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

C.R.M (M) 1458 of 2026

**Sunil Kumar Yadav @ Sunil Kumar
Vs
The State of West Bengal**

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with G.R. Case No. 3641/2023 arising out of **Domjur** Police Station Case No. **522/2023** dated **26.04.2023** under Sections **302/201/212/120B** of the Indian Penal Code
And

In the matter of : Sunil Kumar Yadav @ Sunil Kumar

.....Petitioner.

Mr. Dipayan Kundu
Mr. Avinaba Patra

...for the Petitioner

Mr. L. Vishal Kumar
Mr. Sanjib Das

...for the State

1. Learned Advocate appearing for the petitioner submits that he is in custody since 24.09.2023 i.e., for about two years ten months.

2. According to the learned Advocate petitioner has been implicated on the basis of a statement under Section 180 and 183 of BNSS of the driver. The said driver according to the petitioner has not been made a witness in the charge-sheet.

3. Learned Advocate appearing for the State opposes the prayer for bail and submits that it is the petitioner and his

brother who are the principle accused in the present case and there are materials to suggest that the petitioner is thickly involved in the offence.

4. Petitioner is in custody for two years ten months. Out of eighteen witnesses ten witnesses have been examined. So far as the driver of the vehicle is concerned he has not been made a witness in the charge-sheet. There are other witnesses who are deposing before the trial Court supporting events of the prosecution case.

5. However, having regard to the period of detention of the present petitioner and some time would be required to take the trial to its logical conclusion and without entering into the merits of the case I am inclined to release the petitioner on bail.

6. Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, **Sunil Kumar Yadav @ Sunil Kumar** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each, one of whom must be local to the satisfaction of Learned Chief Judicial Magistrate, Howrah.

7. If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not leave the district of Howrah without prior permission of the learned Trial Court. Additionally petitioner shall inform his address where he would be residing within the jurisdiction of Howrah and meet with the Officer-in-

Charge/Inspector-in-Charge of the said police station for a period of six months after his release.

8. It would be the discretion of the learned Trial Court either to extend such condition or waive such condition.

9. With the aforesaid observation, C.R.M (M) 1458 of 2026 is **allowed**.

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

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

(Tirthankar Ghosh, J.)