

02.09.2025

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jb.

jdt.

Allowed

C.R.M. (DB) 248 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Balurghat
Police Station Case No. 538 of 2019 dated 28.10.2019 under
Sections 341/448/323/302/506/34 of the Indian Penal Code.

And

In Re : **Adhir Barman @ Adhir Chandra Barman & Anr.**

... Petitioners.

Mr. Kasushik Choudhury

... For the Petitioners.

Mr. Ranabir Roychowdhury

Mr. Samarjit Balial

... For the State

Report submitted by the State is taken on record.

The petitioners are in custody for more than 5 years and
pray for bail. ;./

Learned counsel or the State opposes the prayer.

Though learned counsel for the State submitted on earlier
occasion that only CSW 20 was supposed to be examined, today
learned counsel submits that three more witnesses are to be
examined. Possibility of adding more witnesses on subsequent
dates by the State cannot be ruled out. The petitioners are in
custody for more than 5 years. There is little possibility of trial
being concluded in near future.

Striking a balance between the period of detention of the
petitioners and progress in trial, this Court is of the view that
further detention of the petitioners is not justified and they may be
released on bail.

Accordingly, the prayer for bail is allowed.

The petitioners namely Adhir Barman @ Adhir Chandra Barman and Sanjit @ Sadip Barman @ Sanjit Kumar Barman shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Dakshin Dinajpur at Balurghat subject to condition that they shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioners fail to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, the learned trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)