

14. 24.03.2025
Court
No.29 (Pritam)
(Allowed)

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

CRM (DB) 165 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Illambazar** Police Station Case No.**215/2022** dated **11.09.2022** under Sections **302/364A** of the IPC, 1860.

And

In the matter of: - **Sk. Salman Hossain.**

...petitioner.

Mr. Navanil De,
Mr. Srijan Ghosh

...for the petitioner.

Mr. Subhamoy Bhattacharya,
Mr. Akash Ganguly

...for the State.

Dictated by Arijit Banerjee, J.

1. We find that as of date, the prosecution has examined 12 witnesses. The prosecution intends to examine 19 more witnesses. The petitioner is in custody for 2 (two) years and 4 (four) months.
2. The case is based on circumstantial evidence. There is no eye-witness to the alleged incident of murder.
3. Considering the period of detention of the petitioner and that there is no possibility of an early conclusion of the trial, we are of the view that further custodial detention of the petitioner is not necessary.

4. Accordingly, we **allow** the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Sk. Salman Hossain**, shall be released on bail upon furnishing a personal bond of Rs.10,000/- (Rupees Ten Thousand) to the satisfaction of learned *Additional Sessions Judge, Bolpur, Birbhum*. The petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this court.
7. The application for bail being CRM (DB) 165 of 2025 is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)