

02.04.2025

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jb.
jdt.

C.R.M. (DB) 478 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Ekbalpur
Police Station Case No. 341 of 2020 dated 07.10.2020 under
Sections 302/307 of the Indian Penal Code.

And

In Re : **Md. Ibram @ Ibran @ Asif**

... Petitioner.

Mr. Prabir Majumder
Mr. Snehansu Majumder
Mr. Debraj Shil

... For the Petitioner.

Ms. Rituparna De Ghose
Ms. Manasi Roy

... For the State.

Status report submitted by the State is taken on record.

Learned counsel for the petitioner submits that the
petitioner is in custody for about 4 and ½ years and trial is
proceeding at a snail's pace. Only 2 out of 30 witnesses have been
examined in full. The petitioner has been diagnosed as a person
with normal intelligence (I.Q.-90) with unsoundness of mind which
is psychotic in nature. Dr. Anirban Ray, Associate Professor,
Department of Psychiatry at IPGME&R, Kolkata has adduced
evidence before the learned trial Court and has stated that the
disease of the petitioner is treatable with medications and non-
pharmacological modes of intervention.

The petitioner seeks bail primarily on the ground of delay in
progress of trial.

Opposing such prayer learned counsel for the State submits
that the petitioner is being given regular treatment at the
correctional home which was not provided to him prior to arrest.
Releasing the petitioner on bail at such state of mind shall be a

threat not only to the society but also to the petitioner himself. The petitioner requires regular treatment that is being provided to him in custody. Also, the petitioner has several criminal antecedents which do not permit his release on bail.

I have considered the material on record.

The petitioner appears to be a person of unsound mind. Record reveals that delay in trial has been caused primarily on account of ongoing medical treatment of the petitioner at the correctional home. According to the Medical Board, the petitioner is fit to face the trial and mentally unfit intermittently.

Upon consideration of the material available on record as well as the nature and gravity of offence, prayer for bail is rejected at this stage.

However, since the petitioner is in custody for a considerable period of time, learned trial Court is directed to take the proceeding to its logical conclusion as expeditiously as possible without granting any unnecessary adjournment to either of the parties, in accordance with law.

CRM (DB) 478 of 2025 is disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)