

CRM (DB) 491 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Bhangore Police Station** Case No. **215 of 2016** dated **28.03.2016** under Sections **498A/302/394/397/118/120B** of the Indian Penal Code and Sections 25(1)(a)/27 of the Arms Act and Section 3/4 of the Dowry Prohibition Act.

- A n d -

In the matter of : Selim Molla

.... Petitioner.

Mr. Joy Chakraborty,
Mr. Sandip Dinda,

... For the Petitioner.

Mr. Saibal Bapuli,
Ms. Debjani Dasgupta,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. Pursuant to our earlier direction the Investigating Officer of this case is personally present in court.
2. His personal appearance is dispensed with.
3. Status report filed by the State be kept with the records.
4. We see that the petitioner is in custody for more than 8 years 10 months. However strong the prosecution case may be, the same cannot justify incarceration of an under-trial accused for such a long period of time without taking the trial to its logical conclusion.
5. We see that witness action has not concluded. Learned State Advocate says that two more witnesses are required to be examined.
6. Without touching the merits of the case and solely on the ground of delay in progress of the trial and very long incarceration of the petitioner, we feel constrained to enlarge the petitioner on bail.

7. Accordingly, we direct that the petitioner, namely, **Selim Molla**, shall be released on bail upon furnishing a bond of Rs. 10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned A.C.J.M., Baruipur, South 24 Parganas subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall remain within the jurisdiction of the Baruipur police station and shall meet the I.C of the said police station twice in every week until further orders.

8. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

9. The application for bail is, accordingly, allowed.

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

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)