

C.R.M. (DB) 828 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Nakashipara P.S. Case No. 166 of 2018 dated 17.04.2018 under Sections 498A/326/307/302/34 of the IPC charge sheet submitted under Sections 498A/302/34 of the Indian Penal Code.

And

In Re : **Mofaraddin Sk. @ Mofaruddin Sk.** ... Petitioner.

Mr. Prabir Majumder ... for the Petitioner.

Mr. Saibal Bapuli
Mr. Dattatreya Dutta ... for the State.

Supplementary affidavit filed by the petitioner is taken on record.

Heard learned counsels for the parties.

The petitioner is in custody for more than 7 years. Though 13 out of 23 witnesses have been examined so far there has been no progress in trial of the case after 3rd February, 2023.

Learned counsel for the State opposes the prayer.

Considering the slow pace of the trial as well as period of detention of the petitioner, this Court is inclined to hold that petitioner is entitled to bail solely on the touchstone of the Article 21 of the Constitution of India.

Accordingly, prayer for bail is allowed.

The petitioner namely **Mofaraddin Sk. @ Mofaruddin Sk.** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Krishnagar, Nadia subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as stated above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is thus 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.)