

August 14, 2025

16 ARDR

(Allowed)

CRM (DB) 1073 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Habra**
Police Station Case No. **381** of **2022** dated **24/4/2022** under
Sections **302/325/379** of the Indian Penal Code.

And

In Re : Avijit Ghosh @ Abhijit Ghosh

... Petitioner.

Adv. Yunush Mandal,

Adv. Pronojit Roy,

...for the petitioner.

Adv. Jaydeep Roy,

Adv. Rajesh Jana,

...for the State.

The petitioner is in custody for more than three years and
renews his prayer for bail.

Learned counsel for the petitioner submits that the
prosecution has examined 14 out of 24 witnesses. 7 witnesses have
turned hostile.

Learned counsel for the State opposes the prayer.

It appears that 10 more witnesses remain to be examined by
the prosecution. 7 witnesses already examined have turned hostile.
The petitioner is in custody for more than three years.

Considering the material on record as well as the quality of
evidence before the learned trial Court, this Court is of the view that
further detention of the petitioner is not required and he may be
released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Avijit Ghosh @ Abhijit Ghosh** 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, Barasat** subject to the condition that he shall appear before the learned trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date 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 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 given to the parties on compliance with all requisite formalities.

(Suvra Ghosh, J.)