

May 20, 2025

50 ARDR

(Allowed)

CRM (DB) 1081 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Nayaghrum** Police Station Case No. **78** of **2017** dated **10/8/2017** under Sections **498A/302/304B/34** of the Indian Penal Code and Sections **3/4** of the D.P. Act

And

In Re : Sk. Afazuddin @ Sk Gundi @ Gundi

... Petitioner.

Adv. Habibur Rahaman,
Adv. Maidul Islam Kayal,
Adv. Archisman Singh,
Adv. Kaustav Ray,
Adv. Noorul Amin Sardar,
Adv. Sumit Naskar,

... for the petitioner.

Adv. Amita Gaur,
Adv. Snigdha Saha,

... for the State.

The petitioner is in custody for more than seven years and prays for bail.

Learned counsel for the State opposes the prayer.

The petitioner is the husband of the deceased. He is in custody for more than seven years. Out of 13 witnesses, 6 witnesses have been examined so far. Trial will take some time to conclude.

In view of the above, this Court is inclined to hold that the petitioner is entitled to bail solely on the touchstone of Article 21 of the Constitution of India.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Sk. Afazuddin @ Sk Gundi @ Gundi** 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, **Jhargram**, subject to 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 any 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.

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.)