

C.R.M. (M) 17 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Karimpur P.S. Case No. 13 of 2016 dated 18.01.2016 under Section 394 of the Indian Penal Code subsequently charge sheet submitted under Section 395/412 of the Indian Penal Code.

And

In Re : **Ajibar Sk @ Mustafa @ Mostafa Sk.**

... Petitioner.

Mr. Soumik Ganguli

Mr. Amanul Islam

Mr. Sourav Mukherjee ... for the Petitioner.

Mr. Ranabir Roychowdhury

Ms. Puspita Saha ... For the State.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

The petitioner is in custody for more than 9 years in a case of term imprisonment.

It is submitted that 12 out of 16 witnesses have been examined. Co accused have been granted bail earlier. Another FIR under Section 14(A)(b) of the Foreigners Act has been lodged against the petitioner wherein charge sheet has been submitted. The petitioner is in custody in that case too.

In view of the period of detention of the petitioner as well as delay in trial of the case, this Court is inclined to hold that the petitioner ought to be released on bail, solely on the ground of his prolonged incarceration.

Accordingly prayer for bail is allowed.

The petitioner, **Ajibar Sk @ Mustafa @ Mostafa 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 Additional Chief Judicial Magistrate, Tehatta, Nadia subject to condition that the petitioner 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.

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.)