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14.05.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 265 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Malipanchghara P.S. Case No. 64 of 2016 dated 11.03.2016 under Sections 364/302/201/379/34 of the IPC.

And

In Re : **Anil Pradhan** ... Petitioner.

Sk. Toslim Ali
Ms. R. Bhadra ... for the Petitioner.

Mr. Kaushik Kundu
Mr. Sachit Talukdar ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than 9 years and prays for bail.

Opposing the prayer, learned counsel for the State submits that 15 out of 24 witnesses have been examined.

On merits, the bail prayer of the petitioner was turned down earlier and the petitioner does not deserve a favourable order at this stage.

However, considering the period of incarceration of the petitioner and also the fact that possibility of completion of trial in near future is bleak, the petitioner may be released on bail solely on the touchstone of the Article 21 of the Constitution of India.

Accordingly, prayer for bail is allowed.

The petitioner namely **Anil Pradhan** 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, Howrah subject to condition that he shall remain within the jurisdiction of Malipanchghara P.S. and shall furnish the address where he shall henceforth reside before the learned trial Court, investigating officer and the Officer in charge of the concerned P.S under whose jurisdiction he shall presently reside. He shall provide his mobile number to the said authorities and shall not change the same without prior intimation to them. 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.

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.)