

18
21.05.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 298 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Palashipara P.S. Case No. 248 of 2020 dated 08.09.2020 under Sections 447/326A/307/34 of the IPC adding Section 302 of the Indian Penal Code.

And

In Re : **Nuruj Zaman Sk.**

... Petitioner.

Mr. Joydeep Biswas

Mr. Asraf Mondal

Mr. K. Ganguly ... for the Petitioner.

Mr. Subhomoy Bhattacharya

Ms. Sudeshna Das ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for about 4 years 8 months and prays for bail.

Learned counsel for the petitioner submits that the parents of the victim who are the de facto complainant and her husband have turned hostile. The petitioner is innocent and his further detention is not required.

Learned counsel for the State opposes the prayer.

It appears that the petitioner is in custody for more than 4 years. The de facto complainant and her husband have adduced evidence before the learned trial Court and have been declared hostile by the prosecution.

The State proposes to examine 27 witnesses out of whom 2 witnesses have been examined so far. Possibility of completion of trial in near future is bleak.

Undoubtedly the case involves a very grave and heinous offence. Nevertheless, considering the period of

detention of the petitioner as well as stage of trial, this Court is of the view that the petitioner may be released on bail on the touchstone of the Article 21 of the Constitution of India.

Accordingly, prayer for bail is allowed.

The petitioner namely **Nuruj Zaman 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 he shall not enter the jurisdiction of Palashipara P.S. and shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He 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.)