

11.06.2025

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jb.

jdt.

Allowed

C.R.M. (M) 446 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Tiljala Police Station Case No. 300 of 2017 dated 04.12.2017 under Sections 302/394 of the Indian Penal Code.

And

In Re : Md. Tanzim Alam @ Manglu

Sk. Taslim Ali

Ms. Rituparna Bhadra

... For the Petitioner.

Mr. Anand Keshari

Ms. Mamata Jana

... For the State.

The petitioner is in custody for more than 7 years and prays for bail solely on the ground of prolonged incarceration.

Opposing the prayer learned counsel for the State submits that prosecution is not wholly responsible for the delay in trial. Six more witnesses are remaining to be examined.

No doubt allegations against the petitioner are extremely serious in nature. However, considering the period of detention of the petitioner and also the fact that there is little possibility of conclusion of trial in near future, this Court is of the view that the petitioner ought to be released on bail solely on the touchstone of Article 21 of the Constitution of India.

Accordingly, the prayer for bail is allowed.

The petitioner namely Md. Tanzim Alam @ Manglu shall 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, Alipore, South 24 Parganas subject to

condition that he shall remain within the jurisdiction of Tiljala police station excepting for the purpose of appearing before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)