

May 14, 2025

56 ARDR

(Allowed)

CRM (M) 312 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Panchasayar Police Station Case No. **101** of **2019** dated
12/11/2019 under Sections **376D/366/323** of the Indian Penal
Code.

And

In Re : Uttam Ram

... Petitioner.

Adv. Sabir Ahmed,
Adv. Abdul Aziz Mondal,

... for the petitioner.

Adv. Baishali Basu,
Adv. Manoranjan Mahata,

... for the State.

Affidavit of service filed on behalf of the petitioner is taken on
record.

The victim is not represented despite service.

The petitioner is in custody for more than 5 years and 6
months and prays for bail primarily on the ground of his prolonged
detention.

Learned counsel for the State opposes the prayer.

It appears that out of 68 witnesses, 4 witnesses have been
examined and the prosecution proposes to examine 40 more
witnesses. There is a little possibility of completion of trial in near
future.

Upon consideration of the period of incarceration of the
petitioner and little chance of immediate conclusion of trial, prayer
for bail is allowed solely on the touchstone of Article 21 of the
Constitution of India without going into the merits of the case.

The petitioner namely Uttam Ram 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, Alipore, South 24 Parganas, subject to the 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.)