

May 23, 2025

9 ARDR

(Allowed)

CRM (M) 390 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Gangarampur** Police Station Case No. **07** of **2018** dated **15/1/2018** under Sections **302/498A/304B/201/34** of the Indian Penal Code.

And

In Re : Saidur @ Saidur Mondal @ Sahidur Mondal @ Shahidur Mondal

... Petitioner.

Adv. Sarthak Burman,

... for the petitioner.

Adv. Shreyashee Biswas,

Adv. Eshita Dutta,

... for the State.

Report submitted by the State is taken on record.

The petitioner is in custody for more than seven years and prays for bail solely on the ground of his prolonged detention.

Heard learned counsels for the parties.

Bail prayer of the petitioner was turned down by this Court on several occasions and also by the Hon'ble Supreme Court. However, there has not been much progress in trial after the last rejection. This Court is informed that 14 out of 53 witnesses have been examined so far.

In view of the slow pace of progress in trial as well as prolonged incarceration of the petitioner, this Court is inclined to hold that the petitioner should 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 **Saidur @ Saidur Mondal @ Sahidur Mondal @ Shahidur Mondal** 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, Gangarampur, Buniadpur, subject to 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.)