

19  
15.07.2025  
Ct.No.34  
b.das  
Allowed

**C.R.M. (M) 689 of 2025**

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Shibpur PS Case No. 329 of 2020 dated 16.11.2020 under Sections 302/307/326/120B of the IPC read with Sections 25/27 of Arms Act charge sheet submitted under Sections 326/307/302/114/120B read with Sections 25(1)(b)(a)/27 of Arms Act.

And

In Re : **Md. Azad @ Kallu** ... Petitioner.

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

Mr. Sandip Chakraborty  
Mr. Subhasish Datta ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than 4 years and renews his prayer for bail.

Learned counsel for the State opposes the prayer.

It is a fact that bail prayer of the petitioner was turned down on earlier occasions considering the merits of the case. However, 9 out of 33 witnesses have been examined so far. The witnesses examined have not implicated the petitioner in the alleged offence.

In view of the number of witnesses remaining to be examined, there is remote possibility of trial being concluded in near future.

Considering the period of detention of the petitioner as well as quality of evidence on record, this Court is inclined to hold that further detention of the petitioner is not required and he may be released on bail.

Accordingly, prayer for bail is allowed.

The petitioner namely **Md. Azad @ Kallu** 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 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 appear before the learned trial Court on any date 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.)**