

03.
03-06-2025
(ct. no.06)
debajyoti/d.p.
(allowed)

CRM (M) 496 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bhartiya Nagarik Suraksha Sanhita 2023 in connection with Baghmundi Police Station Case No.135 of 2023 dated 17-10-2023 under Sections 363/364/302/201/120B of the Indian Penal Code and Under Sections 25/27/35 Arms Act.

- A n d -

In the matter of : Abdul Imran

.... Petitioner.

Mr. Pawan Gupta,
Mr. Piyush Chowdhury,
Ms. Sofia Nesar,
Ms. Papiya Patra,
Mr. Rishav Mazumder,
Ms. Sayoni Das.

... For the Petitioner.

Ms. Sukanya Bhattacharya,
Ms. Zarean M. Khan,
Md. Kutubuddin.

... For the State.

1. It is said on behalf of the petitioner that he is in custody for 405 days. Investigation process is over by submitting charge-sheet by the prosecuting agency. Charge has already been framed by the learned trial Court. Some of the FIR named accused persons have been granted bail by this Court on different occasions. This accused petitioner stands on the same footing with the accused persons who have already been granted bail in connection with this case.

2. Learned advocate for the State raises objection by submitting that there are sufficient incriminating materials in the case diary which indicates *prima facie* involvement of this petitioner in the alleged offence. It appears that the investigation process has already been completed by the prosecuting agency and the charge has already been framed

by the learned trial Court and the next date is fixed for taking evidence. It further appears that some of the FIR named accused persons have already been granted bail on 25.04.2025 in connection with CRM(M)/62/2025 on 14.05.2025 in connection with CRM(M)/280/2025 and on 14.05.2025 in connection with CRM(M)/293/2025.

3. The accused petitioner is languishing in jail for a considerable period and there is no chance of early conclusion of trial. Keeping the petitioner in custody would deprive him from fundamental right guaranteed under Article 21 of the Constitution of India. As such this Court is of considered view that the petitioner is successful to make out a case for obtaining an order of bail .

4. Accordingly, I direct that the petitioner, namely, **Abdul Imran**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Sessions Judge, 2nd Court, Purulia. The petitioner shall appear before the trial Court on every date of hearing and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall not commit any cognizable offence in any manner whatsoever while on bail.

5. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

6. The application for bail is, thus, **allowed**.

7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Prasenjit Biswas, J.)