

17.06.2025

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jb.

jdt.

Allowed

C.R.M. (R) 56 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 Singur Police Station Case No. 81 of 2020 dated 18.03.2020 under Sections 395/397 of the Indian Penal Code and under Sections 25/27 of the Arms Act.

And

In Re : Suroj @ Suraj Mondal

Mr. Tapas Kr. Ghosh

Mr. Tanmay Chowdhury

... For the Petitioner.

Mr. Bitasok Banerjee

Mr. Bikram Mitra

... For the State.

The petitioner is in custody for more than 5 years and prays for bail.

Learned counsel for the State opposes the prayer.

I have perused the material on record.

It appears that charge-sheet has been submitted in 2020 and the case is yet to be committed to the learned Sessions Court. The petitioner was in custody in connection with a case under the NDPS Act and was shown as arrested in the present case. He has been acquitted from the charges in the earlier case. His name has transpired from the statement of the co-accused. Co-accused are on bail.

Considering the material on record, period of incarceration of the petitioner and also the fact that there is remote possibility of trial being concluded in near future, this Court is inclined to hold further detention of the

petitioner is not required and he may be granted bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioner namely Suroj @ Suraj Mondal 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, Chandannagore, Hooghly subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing 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.

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.)