

23
28.08.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 805 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with English Bazar P.S. Case No. 1827 of 2023 dated 03.11.2023 under Sections 395/412/120B of the Indian Penal Code.

And

In Re : **Sariful Sk.** ... Petitioner.

Mr. Ayan Bhattacharjee

Mr. Sagar Saha

Ms. Nayana Mukhopadhyay ... for the Petitioner.

Mr. Saibal Bapuli

Mr. Mujibar Ali Naskar ... for the State.

Report submitted by the State is taken on record.

The petitioner is in custody for 1½ years and renews his prayer for bail.

Learned counsel for the State opposes the prayer.

It is a fact that the stolen articles were recovered at the instance of the petitioner. However, after bail prayer of the petitioner was rejected on 13th December, 2024, there has been no further progress in trial of the case.

This Court is informed that the case is yet to be committed. The prosecution proposes to examine 15 witnesses. There is remote possibility of completion of trial in near future.

Striking a balance between the period of incarceration of the petitioner and the slow progress in trial of the case, this Court is of the view that further detention of the

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

Accordingly prayer for bail is allowed.

The petitioner namely **Sariful Sk.** 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, Malda subject to condition that he shall remain outside the jurisdiction of English Bazar P.S. except for the purpose of appearing before the learned trial Court on every date of hearing fixed by the learned trial Court. The petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as stated above 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.)