

27.08.2025

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jb.

jdt.

Allowed

C.R.M. (M) 861 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Chandrakona Police Station Case No. 150 of 2023 dated
08.04.2023 under Sections 302/201 of the Indian Penal Code.

And

In Re : **Manasa Sarkar**

... Petitioner.

Sabir Ahmed
Mr. Sudip Kushari
Tashim Ahmed
Mr. Dhiman Banerjee
Ezaz Ahmed

... For the Petitioner.

Mr. Partha Pratim Das
Mr. Subhasish Datta

... For the State

The investigating officer is present in Court and submits a
report which is taken on record.

Learned counsel for the petitioner submits that the
petitioner is in custody for more than two years. There is
practically no progress in trial. He prays for bail.

Learned counsel for the State opposes the prayer.

In rejecting the bail prayer of the petitioner on 11th
November, 2024, this Court directed the learned trial Court to
examine vital witness Piu Santra at the earliest.

This Court is informed that the said witness was
summoned but did not turn up to adduce evidence. No witness
turned up before the learned trial Court on several dates and trial
has progressed at a snail's pace. Out of 20 witnesses only 6
witnesses have been examined. Possibility of conclusion of trial in
near future is bleak.

Striking a balance between the period of detention of the petitioner and progress in trial, this Court is of the view that further detention of the petitioner is not justified and he may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Manasa Sarkar 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, Ghatal, Paschim Medinipur 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.)