

19.08.2025

14

jb.

jdt.

Allowed

C.R.M. (M) 869 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Sabang Police Station Case No. 167 of 2021 dated 05.05.2021 under Sections 302/34 of the Indian Penal Code subsequently registered as CBI/SCB/Kolkata Case no. RCO562021S0046 dated 09.11.2021 under Sections 147/148/149/302/34 of the Indian Penal Code.

And

In Re : **Subhajit Sekhar Mahesh @ Subhojit Mahes**

... Petitioner.

Mr. Amal Krishna Samanta

Mr. Deba Prasad Samanta

... For the Petitioner.

Mr. Amajit De

... For the CBI

Objection filed by the CBI and affidavit in reply filed by the petitioner are taken on record.

The petitioner seeks parity with the co-accused on bail in so far as the period of detention is concerned. The petitioner is in custody for more than three years. Bail prayer of the petitioner was turned down by this Court on 14th February, 2025. On the said date, three prosecution witnesses were examined. Today, this Court is informed that examination of the 4th witness is going on. There has been hardly any progress in trial since the earlier rejection of bail of the petitioner.

On merits, the petitioner does not deserve a favourable order. However, since progress in trial is extremely slow and there is remote possibility of trial being concluded in near future, this Court is of the view that the petitioner, being similarly circumstanced with the co-accused on bail in so far as his period of detention is concerned, is entitled to the same benefit.

Accordingly, the prayer for bail is allowed.

The petitioner namely Subhajit Sekhar Mahesh @ Subhojit Mahes 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 Chief Judicial Magistrate, Paschim Medinipur subject to condition that he shall not enter the jurisdiction of Sabang Police station except for appearing before the learned trial court on every date of hearing fixed by the learned trial Court and shall furnish the address where he shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction he shall presently reside. He shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not tamper with evidence and intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to comply with any of conditions stated above, 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.)