

August 18, 2025

21 ARDR

(Allowed)

CRM (M) 954 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Regent
Park Police Station** Case No. **128** of **2020** dated **20/6/2020** under
Section **320** of the Indian Penal Code and Sections **25(B)/(a)/27** of
the Arms Act.

And

In Re : Jayanta Halder @ Rakesh Halder

... Petitioner.

Adv. Sourav Mondal,

Adv. Arijit Bhuiya,

Adv. Rony Mondal,

... for the petitioner.

Adv. Arka Ranjan Bhattacharjee,

Adv. Swarup Ranjan Kar,

...for the victim.

Adv. Amita Gaur,

Adv. Arup Sarkar,

... for the State.

Report submitted by the State is taken on record.

The petitioner is in custody for more than five years and
renews his prayer for bail.

Learned counsels for the State and the victim oppose the
prayer.

It appears that the bail prayer of the petitioner was turned
down by this Court on 6th January, 2021 with a request to the
learned trial Court to expedite the trial. Despite the same this Court
is informed that only 12 witnesses have been examined so far and
20 witnesses are yet to be examined. There is remote possibility of
trial being concluded in near future.

Considering the period of detention of the petitioner vis-à-vis
progress and stage of trial, this Court is inclined to hold that the
petitioner should be released on bail solely on the touchstone of
Article 21 of the Constitution of India.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Jayanta Halder @ Rakesh Halder** 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, Alipore** subject to the condition that he shall remain within the jurisdiction of **Regent Park Police Station** and shall furnish the address where he shall presently reside before the learned trial Court, Investigating Officer and the Officer in charge of the concerned police station under whose jurisdiction he shall henceforth reside. He shall appear before the learned trial Court on every date of hearing and 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 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.)