

53  
25.08.2025  
Ct.No.34  
b.das  
Allowed

**C.R.M. (M) 1137 of 2025**

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Barikul P.S. Case No. 09 of 2021 dated 07.06.2021 under Section 302 of the Indian Penal Code.

And

In Re :       **Animesh Pal**                   ... Petitioner.

Mr. Soumik Ganguly  
Ms. Chandana Chakraborty  
Ms. Indrani Roy                   ... for the Petitioner.

Mr. Saryati Datta  
Mr. Mainak Gupta               ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than 4 years and renews his prayer for bail.

Learned counsel for the State opposes the prayer.

Bail prayer of the petitioner was turned down on merits on earlier occasions. He is in custody for more than 4 years. When the bail prayer of the petitioner was turned down on 23<sup>rd</sup> March, 2023, 12 out of 22 witnesses were examined. This Court is informed that only 4 more witnesses have been examined till date. Possibility of completion of trial in near future is bleak.

Considering the period of incarceration of the petitioner, this Court is inclined to hold that petitioner is entitled to bail solely on the touchstone of the Article 21 of the Constitution of India, without going into the merits of the case.

Accordingly, prayer for bail is allowed.

The petitioner namely **Animesh Pal** 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, Khatra subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed by the learned trial Court 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.)**