

02.09.2025

22

jb.

jdt.

Allowed

C.R.M. (M) 1162 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bhagwanpur Police Station Case No. 09 of 2015 dated 02.02.2015 under Sections 394/397 of the Indian Penal Code and Section 25(1)(a) of the Arms Act.

And

In Re : **Sk. Munna @ Sk. Siraj**

... Petitioner.

Mr. Surajit Basu

... For the Petitioner.

Mr. Avishek Sinha

Ms. Dhanasree Biswas

... For the State

The petitioner is in custody for more than 10 years and prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The allegation against the petitioner is serious in nature. However, the petitioner is in custody for more than 10 years. This Court is informed that out of 19 witnesses only cross-examination of the 4th witness is in progress.

Considering the period of detention of the petitioner vis-a-vis the progress of trial, this Court is of the view that the petitioner is entitled to bail solely on the touchstone of Article 21 of the Constitution of India.

Accordingly, the prayer for bail is allowed.

The petitioner namely Sk. Munna @ Sk. Siraj 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, Contai, Purba 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.)