

09.09.2025

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jb.

jdt.

Allowed

C.R.M. (M) 1229 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Amherst Street Police Station Case No. 67 of 2021 dated 17.03.2021 under Sections 394/397 of the Indian Penal Code.

And

In Re : Md. Arman

Md. Zeeshanuddin

... For the Petitioner.

Ms. Faria Hossain

Ms. Mausumi Sarkar

... For the State

The petitioner is in custody for about 4½ years and prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The petitioner has been identified in test identification parade. Looted booty has been recovered pursuant to his leading statement. On merits, the petitioner does not deserve a favourable order. However, it appears that out of 13 witnesses 5 have been examined so far.

Striking a balance between the period of incarceration 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 Md. Arman 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, Calcutta subject to condition that he shall remain within the jurisdiction of 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 or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, 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.)