

September 22, 2025

4 ARDR

(Allowed)

CRM (M) 1507 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Pathar
Pratima Police Station** Case No. **123** of **2019** dated **27/5/2019**
under Sections **302** of the Indian Penal Code.

And

In Re : Abhijit Das

... Petitioner.

Adv. Soumya Nag,
Adv. Rajdeep Sengupta,

... for the petitioner.

Adv. Subhasree Patel,
Adv. Mainak Gupta,

... for the State.

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

Heard learned counsels for the parties.

Bail prayer of the petitioner was turned down on earlier
occasions considering the material on record. However, this Court is
informed that witnesses did not turn up on most of the dates fixed
by the learned trial Court from 19th February, 2022 to 26th
November, 2024. Only one out of sixteen witnesses has been
examined so far. There is remote possibility of conclusion of trial in
near future. Striking a balance between the period of incarceration
of the petitioner and slow progress in trial, this Court is of the view
that the petitioner should be released on bail solely on the
touchstone of Article 21 of the Constitution of India, without going
into the merits of the case.

Accordingly, prayer for bail is allowed.

The petitioner namely **Abhijit Das** 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, Kakdwip, South 24 Parganas subject to the condition that he shall remain within the jurisdiction Pathar Pratima police station and shall furnish the address where he shall henceforth reside before the learned trial Court, Investigating officer and the officer in charge of the concerned police station under whose jurisdiction he shall presently reside. The petitioner 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 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 disposed of.

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.)