

27.10.2025
SL No.43
Court No.446
(gc)
(Allowed)

CRM (M) 1689 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Barasat
Police Station Case No.599 dated 31.08.2022 under Section 302 of
the Indian Penal Code.

And

In the matter of : **Abhi Samaddar @ Bhairab**

- Petitioner.

Mr. Shekhar Barman

....For the Petitioner.

Mr. Arijit Ganguly,

Ms. Suparna Chatterjee

... For the State.

1. Heard the submissions of the learned Advocates.
2. The petitioner is in custody for more than 3 years 10 days since 31st August, 2022. After completion of the investigation, charge-sheet has been submitted citing 12 witnesses and out of 12 witnesses, only one witness has been examined. The prayer for bail of the present petitioner was rejected by the learned trial Court on 26th August, 2025.
3. The learned prosecutor raises objection.
4. However, from the status report it is seen that only single witness has been examined which primarily shows that there is remote possibility of conclusion of trial at an earliest.
5. In the above facts and circumstances and considering that the present accused person surrendered before the police station and since then he is languishing in jail and period of detention

already covered and remote possibility of conclusion of trial, this Court is inclined to allow the prayer for bail.

6. Accordingly, the petitioner, namely, Abhi Samaddar @ Bhairab, be released on bail upon furnishing a bond of Rs.20,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Barasat, North 24-Parganas with further conditions that he shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023, shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and he shall not leave the jurisdictional Court without express leave of the Court.

7. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

8. The application for bail is, thus, disposed of.

9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

10. Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Chaitali Chatterjee (Das), J.)