

10.11.2025
Court No.35.
D/L. 47.
Rakib
(Allowed)

CRM (M) 1793 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Garden Reach Police Station Case No. 64 of 2024 dated 06.04.2024 under Sections 302/324/34 of the Indian Penal Code read with Sections 103/118/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Md. Jawed & Anr.

.....Petitioners.

Mr. Abhishek Verma
Mrs. Atulya Sinha Verma
Mr. Swaraj Naskar
Ms. Aparna Sarkar

.....for the Petitioners

Mr. Anand Keshari
Mr. Sobhan Gani

.....for the State.

Learned advocate appearing for the petitioners submits that the petitioners are in custody for one year and seven months and till date only five witnesses have been examined by the prosecution and the examination of PW6 is in progress. Learned advocate for the petitioner submits that four of the accused persons have been released on bail. Additionally, it has been submitted that on any stringent conditions petitioners may be released on bail.

Learned advocate appearing for the State opposes the prayer for bail and submits that since the last rejection there has substantial progress in the trial and there is every possibility of the trial being concluded in the near future.

I have taken into account the materials appearing in the Case Diary as also the nature of weapon which have been used. Having considered that the period of detention of the present petitioners, I am of the view that further detention of the petitioners is unwarranted.

Accordingly, the petitioners namely, Md. Jawed and Md. Shamsheer @ Zeeshan shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Chief Judicial Magistrate, Alipore.

If on bail, the petitioners shall not enter the jurisdiction of Garden Reach police station and would reside within the jurisdiction of Nadial police station as is reflected from the address indicated in the cause title.

Petitioners shall meet with the Officer-in-Charge of Nadial police station once a week till further directions of this Court. Petitioners shall also be physically present on each and every date before the learned trial Court. Petitioners shall cooperate with the progress of the trial of the case.

Learned trial Court is directed not to grant an unnecessary adjournment to any of the parties and put in efforts so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

Accordingly, CRM (M) 1793 of 2025 is allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)