

11.02.2025  
Item no. 45.  
Court No.29.  
AB  
(Allowed)

**CRM (DB) 3473 of 2024**

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 Duttapukur Police Station Case No.286 of 2021 Dated 03.05.2021 under Sections 302/34 of the Indian Penal Code read with Sections 3/4/9B of the Explosive Substances Act

And

**In the matter of : Abdul Hannan @ Hannan Ali & Others**

**.....Petitioners.**

Mr. Subhasish Pachhal,  
Mr. Sekhar Barman .....for the Petitioners.

Mr. Dhiraj Trivedi, ld. DSGI  
Mr. Amajit De, ld. Spl. PP .....for the CBI.

**Dictated by Arijit Banerjee, J.**

1. Status Report filed by the Central Bureau of Investigation, be kept with the records.
2. From the said report as also from the submission made by learned DSG, we see that 12 witnesses have been examined by the prosecution out of 28 charge sheet named witnesses. However, the Trial Court is lying vacant.
3. Learned DSG appearing for the CBI strongly opposes the prayer for bail.
4. This is one of the post-poll violence cases. The petitioners are in custody for about three years and nine months. Since the Trial Court is lying vacant, no one

can say with any degree of certainty as to when the trial will conclude. We also find that we have granted bail to co-accused persons.

5. Without touching the merits of the case, solely on the ground of delay in progress of trial, coupled with almost zero possibility of early conclusion of the trial, we feel impelled to allow the petitioners' prayer for bail.
6. Accordingly, we direct that the petitioners, namely **ABDUL HANNAN @ HANNAN ALI, SABIR ALI, SANOWAR ALI, ISRAFIL ALI @ ESRAFIL ALI @ IPPI** shall be released on bail upon furnishing a bond of Rs.10,000/-each, 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, and on further conditions that they shall not enter the jurisdiction of North 24 Parganas except for the purpose of Court proceeding and shall provide the address where they shall reside to the Investigating Officer as well as the jurisdictional Court and meet the Inspector, CBI, SCB, Kolkata, once in a week until further orders.
7. The petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

8. In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.
9. The application for bail is, accordingly, allowed.
10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**(Arijit Banerjee, J.)**

**(Apurba Sinha Ray, J.)**