

13.02.2025
Item No.27
Court No.26
Allowed
CHC

CRM (DB) 3631 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section **483** of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tala** Police Station Case No. **77/2021** dated 05.11.2021 under Sections **307/460/394/34** of the Indian Penal Code and Chargesheet no.05/2022 dated 24.01.2022 under Sections 307/309/394/412 of Indian Penal Code.

-And-

In the matter of : **Karim Piyada @ Karim Ali Piyada**
... .. Petitioner

Mr. Pawan Kr. Gupta, Advocate
... .. For the Petitioner

Mr. Madhusudan Sur, Ld. A.P.P.
... ..For the State

1. Petitioner renews the prayer for bail.
2. Learned advocate appearing for the petitioner submits that, petitioner is in custody in excess of three years two months without any possibility of the trial ending any time soon.
3. Learned advocate appearing for the State submits that, the petitioner is involved in the crime of robbery. He refers to the materials in the Case Diary. He opposes the prayer for grant of bail.
4. In response to a query of the Court, learned advocate appearing for the State submits that, ten more prosecution witnesses remain to be examined.

5. In response to a further query of the Court, learned advocate appearing for the State submits that, the remaining prosecution witnesses are largely the seizure list witnesses as also the Investigating Officers.
6. Apparently, the substantial portion of the evidence of the prosecution was recorded at the trial.
7. Considering the period of detention, nature of the offence and the involvement of the petitioner therein, we are inclined to grant bail to the petitioner.
8. We request the learned trial Judge not to grant any unnecessary adjournment to the parties and endeavour to dispose of the trial as expeditiously as possible.
9. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a 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, Sealdah**, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and on further condition that petitioner will not enter the jurisdiction of the Tala Police Station save and except, attending the court proceedings.
10. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial

court to cancel the bail without further reference to this Court.

11. The prayer for bail of the petitioner is **allowed**.

12. CRM(DB) 3631 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)