

D/L 118
25.11.2025

Bpg.
Allowed

C.R.M. (M) 2429 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, erstwhile Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Ultadanga Police Station Case No.152 of 2011 dated 23.09.2011 under Sections 302/201/34/379 and 511 of the Indian Penal Code;

Bhola Gupta @ Ajoy
Versus
The State of West Bengal

Mr. Arshad Hussain.
...for the petitioner.

Mr. Iqbal Kabir
Mr. Sobhan Gani.
...for the State.

Learned advocate appearing for the petitioner submits that he was arrested in September, 2011 and since then he is in custody for more than 14 years. According to the petitioner, out of 52 witnesses proposed to be examined, only 29 witnesses have been examined and the petitioner has throughout been in custody.

Learned advocate for the State opposes the prayer for bail and submits that there were every efforts on behalf of the prosecution to conclude the case, but because of the defence lawyer the trial could not be completed.

I have seen the report which has been submitted by the investigating officer. The defence lawyer was engaged from the DLSA and from to time it was changed by the learned trial court as there was lack of sincerity on the part of the lawyer who was engaged from DLSA.

Having considered the period of detention of more than 14 years, I am not inclined to further detain the petitioner. As such, the prayer for bail of the petitioner is allowed. The petitioner, namely, Bhola Gupta @ Ajoy shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned ACJM, Alipore.

If on bail, the petitioner shall be physically present on each and every date of trial and shall not leave the jurisdiction of learned ACJM, Sealdah without the permission of the learned trial court. Learned trial court if he deems any other conditions to be imposed for ensuring the presence of the present petitioner, it would be the discretion of the learned trial court to impose such conditions. Violations of these conditions will automatically result in cancellation of the bail at the behest of the learned trial court without further reference to this Court.

Accordingly, CRM (M) 2429 of 2025 is allowed.

Report so submitted by the investigating officer be kept with the record.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)

