

08.12.2025

Serial no. 43

[Srimanta]

(Bail **allowed**)

CRM (M) 2589 of 2025

In re : An Application for **Bail** under Section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 in connection with **Jetia** Police Station Case No. **182** dated **11.11.2024** under Sections **103(2)/238/3(5)/61(a)** of the Bharatiya Nyay Sanhita, 2023 [GR Case No. 7767/2024] in CRM 495/2025.

-And-

In the matter of : SAMIR GHOSH @ SAMIR

... .. Petitioner

Mr. Shounak Mondal,

Mr. Tanmoy Sarkar, Advocates

... .. For the Petitioner

Mr. Anand Keshari,

Mr. Subhasish Datta, Advocates

... ..For the State

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for one year 25 days and the case is yet to be committed to the Court of sessions as some of the accused persons are still absconding. Similarly placed accused persons, namely, Asish Saha and Ajoy Roy have been granted bail. There are 36 witnesses in the charge-sheet so filed by the prosecution and there is no possibility of the trial commencing very soon as the investigation is yet to be completed.

Learned Advocate for the State is unable to distinguish between the persons who have been granted bail and the present petitioner. I have taken into account the stage of the case and the fact that the case is yet to be committed to the Court of Sessions as some of the accused persons are absconding. There are 36 witnesses who are

to be examined, as such there is no possibility of the trial concluding very soon. As such, the prayer of the petitioner at this stage is considered and allowed.

Accordingly, I direct that the petitioner shall be released on bail upon furnishing a 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, Barrackpore.**

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Court *in seisin* of the case including the learned Trial Court and shall not leave the jurisdiction of 24-Parganas (North) District without prior intimation to the Learned Trial Court and/or the Learned ACJM, Barrackpore.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

CRM(M)/2589/2025 is **disposed of.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)