

23.12.2025
Court No.35.
D/L. 06.
Rakib
(Allowed)

CRM (R) 162 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 S.T. Case no. 101 of 2022 which arose out of AJC Bose B. Garden Police Station case no. 179 of 2021 dated 08.09.2021 registered for investigation into the offences punishable under Sections 195A/506/34 of the Indian Penal Code.

And

In the matter of : Devendra Mishra.

.....Petitioner.

Mr. Sourav Chatterjee, Sr. Adv,
Mr. Ayan Bhattacharjee, Sr. Adv,
Mr. Soumya Basu Roy Chowdhury
Mr. S. Das Mahapatra
.....for the Petitioner.

Mr. Partha Pratim Das
Ms. Srelekha Chattopadhyay
.....for the State.

Mr. Sabyasachi Banerjee, Sr. Adv,
Mr. Kallol Mondal
Ms. Nahid Ahmed
.....for the O.P.

Mr. Das, learned advocate appearing on behalf of the State submits that pursuant to the earlier direction passed in an earlier case being CRM (SB) 38 of 2025 the accused has been shifted to Central Jail at Calcutta.

Petitioner has prayed for bail in connection with AJC Bose B. Garden Police Station case no. 179 of 2021 dated 08.09.2021 wherein the charge-sheet was submitted under Sections 195A/506/34 of the Indian Penal Code. Petitioner is in custody for four year two months and as such on any conditions prayer for bail has been advanced.

The principal case for which the petitioner is detained in custody is AJC Bose B. Garden Police Station case no. 218 of 2020 which refers

to S.T. case no. 38 of 2021. The progress in the said case is pathetic as after five years, I find that the only cross-examination of PW1 is in progress. At this stage, I do not intend to point out who is responsible for such delay but what is more important is progress of the trial when an accused is in custody.

Learned District & Sessions Judge, Howrah would personally ensure that the case is progressed, if required the Court be altered and in case the Court is vacant in that case the In-Charge must conduct the trial of the case.

So far as the present case is concerned the offences complained of are for a limited period of time, as such, in spite of objection raised on behalf of the State as well as the de-facto complainant and the petitioner being in custody for four years two months, I am inclined to release the petitioner on bail. As such prayer for bail of the petitioner is **allowed**.

Accordingly, petitioner namely, **Devendra Mishra** shall be released on bail upon furnishing 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, Howrah Sadar.

If on bail, the petitioner will abide by the similar conditions as is imposed in CRM (SB) 38 of 2025.

As such, the application for bail being CRM (R) 162 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.)