

17.03.2025

Serial no. 78

[Dd]

(Bail **allowed**)

CRM (DB) 4249 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Mandir Bazar** Police Station Case No. **205 of 2020** dated **27.09.2020** under Sections **341/325/326/307/302/34** of the Indian Penal Code, 1860.

-And-

In the matter of : Ramjan Molla @ Ramjan Ali Molla & Anr.

... .. Petitioners

*Mr. Debabrata Acharyya,
Ms. Sital Samanta, Advocates
... .. For the Petitioners*

*Ms. Faria Hossain,
Ms. Suparna Chatterjee, Advocates
... ..For the State*

1. Prayer for bail was rejected thrice. Trial is in progress but yet to be concluded. Out of 17 prosecution witnesses, 4 prosecution witnesses stand examined. The 5 prosecution witnesses are at the witness box.
2. Petitioners are in custody in excess of 4 years 7 months.
3. On the principle of Article 21 of the Constitution of India, we grant bail to the petitioners since there is hardly any likelihood of the trial concluding in the near future. Last order passed by the learned trial Court shows that, there is a change in the public prosecutor.
4. Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24 Parganas, subject to condition that the petitioners 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.

5. In the event, the petitioners fail 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.
6. The prayer for bail of the petitioners is **allowed**.
7. **CRM (DB) 4249 of 2024** is **disposed of**.

(Debangsu Basak, J.)

(Smita Das De, J.)