

05.03.2025
Item No.17
Court No.26
S.D.
(Bail granted)

CRM (DB) 4298 of 2024

In re: An Application for **Bail** under Section **483** of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) in connection with
Shibpur Police Station Case No. **279** of **2021** dated **21.08.2021**
under Sections **302/34 of Indian Penal Code**.

In the matter of: Md. Faisal

... .. Petitioner

Mr. Ashok Das
Mr. Toslim Ali
... .. For the Petitioner
Mr. Bitasok Banerjee
Mr. Saptarshi Chakraborty
...For the State

Report as called for by the order dated February 21,
2025 filed in Court be taken on record.

Petitioner is in custody in excess of 3 and 1/2 years.
Prosecution is unable to produce witness at the trial. On the
last date of the trial on March 3, 2025, although the
petitioner was present on the virtual platform, no
prosecution was present. Consequently, the trial was
adjourned till April 10, 2025 for production of evidence. 28
prosecution witnesses are scheduled to be examined; out of
which only one was partly examined.

Possibility of the trial concluding any time soon in the
near future does not exist.

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 Chief Judicial Magistrate, Howrah** subject to the 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.

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.

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

C.R.M.(DB) 4298 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)