

26.02.2025

Serial no. 66

[Dd]

(Bail **allowed**)

CRM (DB) 4351 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 **Basanti** Police Station Case No. **223** of **2012** dated **03.04.2012** under Sections **363,366A, 372,120B** of the Indian Penal Code, 1860.

-And-

In the matter of : Israfil Laskar @ Esrafil

... .. Petitioner

*Mr. Deepak Prahladka,
Ms. Reshmi Khatun, Advocates
... .. For the Petitioner*

*Mr. Avishek Sinha,
Mr. Abhinabha Mukherjee, Advocates
... ..For the State*

1. Petitioner prays for bail.
2. Learned advocate appearing for the petitioner submits that the petitioner is in custody more than 5 years and 6 months. The quantum of punishment is 10 years for the offences charged.
3. Learned advocate appearing for the State submits that, the trial is in progress. In fact, the trial is at the fag end. He refers to the deposition of the minor victim. He submits that the petitioner is instrumental in dragging the victim into the car and then transporting her to Mumbai where, she was sold.
4. The quantum of punishment for the charges as against the petitioner appears to be 10 years. Petitioner is in custody in excess of 5 years 6 months.
5. Purely on the principles of Article 21 of the Constitution of India, we grant bail to the petitioner.

6. 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, Alipore subject to 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.
7. 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.
8. The prayer for bail of the petitioner is **allowed**.
9. **CRM (DB) 4351 of 2024 is disposed of.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)