

05.03.2025
Item No.21
Court No.26
S.D.
(Bail granted)

CRM (DB) 4353 of 2024

In re: An Application for **Bail** under Section **483** of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) in connection with
Special Task Force Case No. 35 of 2019 dated 02.09.2019
under Section **120B/121/121A/122/123/124A/125 of Indian**
Penal Code, 1860 under Sections 4/5/6 of the Explosive
Substances Act, 1908 and under Sections 16/18/19/20 of the
Unlawful Activities (Prevention) Act, 1967.

-And-

In the matter of: Md. Abdul Quashim
@ Md Abdul Kashem
@ Abdul Quashem @ Fazy
... .. Petitioner

Mr. Deep Chaim Kabir, Sr. Adv.,
Mr. Jakir Hussain
Mr. Mazhar Hossain Chowdhury
... .. For the Petitioner
Mr. Rana Mukherjee
Debanik Das
...For the State

Report as called for by the order dated February 20,
2025 filed in Court be taken on record.

Petitioner is in custody for a period in excess of 5 years
and 6 months.

Initially, 40 prosecution witnesses were scheduled to
be examined. Today, it is claimed on behalf of the
prosecution that only 11 prosecution witnesses remained to
be examined and that the trial can be concluded within six
months.

The police case is pending since 2019. Without the trial being concluded, petitioner is languishing for a period in excess of 5 years and 6 months.

Purely on the ground of infraction of the right to speedy trial guaranteed under Article 21 of the Constitution of India, we grant bail to the petitioner.

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, Kolkata** 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) 4353 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

