

36.
Court
No.29

14.02.2025

(Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 57 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Indpur** Police Station Case No. **114/2022**, dated **01.11.2022** under Sections **498A/325/326/307** of the Indian Penal Code read with Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of: - **PRADIP DAS**

Mr. Arkaprabho Roy

Mr. Ashok Das

...petitioner.

...for the petitioner.

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was last rejected by a co-ordinate Bench on March 13, 2023, passed in CRM (DB) 899 of 2023. He says that he is in custody for two years and three months. Only six out of 12 charge-sheet named witnesses have been examined. There is little possibility of an early conclusion of the trial.
2. While opposing the prayer for bail, learned State Advocate says that two persons suffered stab injury in the incident. However, nobody died. Hence Section 307 of the Indian Penal Code has been pressed into service. All efforts will be made to conclude the trial on an early date.

3. We have considered the material on record. Two years and three months is a long period of time. There does not seem to be any possibility of the trial concluding on an early date.
4. Considering the nature and gravity of the charge, the material on record and the period of detention of the petitioner, we are inclined to allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **PRADIP DAS** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Khatra, Bankura, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall remain within the territorial jurisdiction of Indpur Police Station except for the purpose of attending Court proceedings and shall meet the Inspector-in-Charge/Officer-in-Charge of the said Police Station, once every week, until further orders.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the

Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. The application for bail being CRM (DB) 57 of 2025 is accordingly disposed of.
8. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)