

27.03.2026

Item No.35

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 337 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Jorasanko Police Station Case No. 498 of 2017 dated 24.10.2017 under Sections 302/34/394 of the Indian Penal Code, 1860 and charge-sheet under Sections 302/394/120B of the Indian Penal Code, 1860 (G.R. Case No. 1815 of 2017).

And

In Re : **Md Ashar Firdausi @ Md Ashar**

... Petitioner.

Mr. Syed Shahid Imam,
Mr. Mohammad Khairul

... For the Petitioner.

Mr. Saryati Datta,
Mr. Raju Mondal

... For the State.

Mr. Navanil De,
Mr. Subhrajit Dey,
Mr. Shoumilya Mazumder

... For the *de facto* complainant.

Learned advocates for the petitioner, the State and the *de facto* complainant are present.

I find from the records of the case that the petitioner is in custody for 8 years 5 months.

Learned advocate for the State submits that prosecution has already examined eight witnesses and prosecution intends to examine 16 more witnesses in support of its case.

Having considered the period of detention of the present petitioner and that there is no possibility of the trial

concluding very soon without commenting on the merits of the case, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Md Ashar Firdausi @ Md Ashar** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional District and Sessions Judge, 2nd Court, City Sessions Court at Calcutta.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Trial Court and shall not enter into the jurisdiction of Jorasanko Police Station and Ekbalpur Police Station.

The petitioner shall report to the Officer-in-Charge, Homicide Section, Detective Department, Lalbazar, Kolkata once a week for a period of next six months. The Officer-in-Charge will either acknowledge himself or depute an officer of his choice for issuing the acknowledgement of the attendance of the present petitioner.

In case there is violation of any condition, the court in seisin of the present case would be at liberty to cancel the bail of the petitioner without further reference to this Court.

The application for bail, being CRM (M) 337 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)