

05.06.2026
Item No.3
Ct. No. 2

sg

**Allowed
Vacation Bench**

C.R.M.(M) 927 of 2026

In Re:- An application for bail under Section 483 of the B.N.S.S., 2023 in connection with Sonarpur Police Station Case No. 1156 of 2023 dated 31.10.2023 under Section 498A/302 of the Indian Penal Code.

And

In the matter of : **Samir Shikari**Petitioner

Mr. Soumya Nag
Mr. Azan Khan
Ms. Namrata Chatterjee
Mr. R. Senguptafor the petitioner

Mr. Krishnendu Chatterjee
Mr. Koustav Lal Mukherjeefor the State

1. Attention has been drawn to the order dated 9th December, 2025 passed by the learned Coordinate Bench whereby the prayer for grant of bail has been rejected. It was expressed by the learned co-ordinate Bench that examination of remaining five witnesses mentioned in the charge-sheet to be completed by 31st March, 2026 but not a single witness has been examined thereafter and on the ground of adjournments sought for on behalf of the prosecution, the matter got delayed. The learned Counsel for the petitioner has prayed for bail of the petitioner on the ground of prolonged incarceration.

2. The learned Advocate for the State opposes the prayer for bail.
3. Having heard the learned Counsel for both the parties and after going through the materials on record and also considering the period of long incarceration of the petitioner, which is 2 years and six months and further the observation made by the learned Co-ordinate Bench on 9th December, 2025, which has not been followed and in view of the observation made by the Hon'ble Supreme Court in a catena of decisions that bail is not to be withheld as punitive measure, this Court is inclined to allow the prayer of the petitioner.
4. Accordingly, it is directed that the petitioner, namely, **Samir Shikari**, shall be released on bail upon furnishing a bond of Rs.20,000/- only with two sureties of like amount each, out of whom one must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Baruipur, South 24-Parganas and on condition that the present accused petitioner shall appear before the learned trial Court on each and every date of hearing and shall not intimidate witnesses or tamper with evidence or commit any cognizable offence in any manner whatsoever.
5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause and/or fails to appear before the trial Court, the trial

Court shall be at liberty to cancel his bail without any further reference to this Court.

6. The application for bail is, accordingly, allowed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Chaitali Chatterjee (Das), J.)