

05.06.2026
Item No.06
Ct. No. 2
PG
Allowed

C.R.M.(M) 1282 of 2026

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 439 of the Code of Criminal Procedure, 1973 arising out of Raiganj Police Station Case No. 1397 of 2022 dated 11.11.2022 for the offences punishable under sections 302/ 34 adding sections 380/411 of the Indian Penal Code .

And

In the matter of : **Prabal Sarkar @Raju**.....Petitioner

Mr. Himanshu De, Sr. Adv.

Mr. Srijan Ghosh.....for the petitioner

Mr. Suman Chakrabortyfor the State

1. Heard the submissions of the learned advocates for the parties, perused the materials available in the case diary, wherefrom it is evident that the present petitioner is in custody for more than 03 years and 06 months and out of 50 witnesses, only 09 witnesses have been examined leaving aside 41 witnesses.
2. It is also evident that there is a bleak possibility of the trial being concluded in the near future and certainly, it violates the provisions of Article 21 of the Constitution of India since it demands speedy and expeditious trial.
3. Therefore, in view of the above facts and circumstances, this Court is inclined to allow the prayer for bail in favour of the petitioner.

4. Accordingly, it is directed that the petitioner shall be enlarged on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand) only with two sureties of like amount each, one of whom must be local to the satisfaction of learned Chief Judicial Magistrate, Uttar Dinajpur at Raiganj and also 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 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 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.)