

09.04.2026
Serial no. 36
[G.S.D]

CRM (M) 2450 of 2025

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with Sessions Case No. 54 of 2022 arising out of Bowbazar Police Station Case No. 129 of 2022 dated 02.05.2022 u/s 394/397 of the IPC [Bowbazar PS Case No. 129 of 2022 dt. 02.05.22].

-And-

In the matter of : Irshad Ashraf Ansari @ Irshad Ashraf

... Petitioner(s)

Md. Sabir Ahmed
Mr. Abdul Aziz Mondal

... for the Petitioner(s)

Mr. Iqbal Kabir
Mr. Debanik Das

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for three years eleven months and out of the 39 witnesses proposed to be examined by the prosecution, till date, only seven witnesses have been examined. Learned advocate prays that as there is no possibility of the trial being concluded in the near future, the petitioner may be enlarged on bail.

Learned advocate for the State has submitted a report prepared by the Deputy Commissioner of Police, Central Division, Kolkata, which in a tabular form has set out the progress of the case from 15th February, 2023 till 13th February, 2026.

I find from the report that out of the 28 dates fixed by the learned trial court, on 12 dates, trial was not done because of the reasons for which defence cannot be solely held responsible. The prosecution intends to examine 14 more witnesses as is reflected from the report.

Having considered the period of detention of the present petitioner, without entering into the merits of the case but only on the ground of detention as also the fact that further time is required to take the trial to its logical conclusion, I am of the opinion that further incarceration of the present petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Irshad Ashraf Ansari @ Irshad Ashraf** shall be released on bail upon furnishing bond of Rs.20,000/-(Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the learned ACJM, Kolkata.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned trial court and shall attend the Bowbazar Police Station once in a week for a period of one year.

The learned trial court would at the end of one year take a decision whether further attendance of the petitioner would be required before the concerned police station.

Accordingly, CRM (M) 2450 of 2025 is **allowed**.

Pending application(s), if any, is also disposed of.

Report submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)