10.11.2026
Item No.11
Ct. No. 7
nb/AKG
(Allowed)

CRM(M) 2896 of 2026

In Re.: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the B.N.S.S. 2023 in connection with S.T. Case No.31 of 2024 corresponding to S.C. Case No.33(09) of 2023 arising out of Bishnupur P.S. Case No. 145 of 2023 dated 19.2.2023 alleging therein the commission of the offences punishable under Sections 302/120B/34 of the IPC.

In the matter of: **Ujjawal Sarkar @ Ujjal Sarkar**
..... Petitioner.

Mr. Moyukh Mukherjee
Mr. Abhinav Rakshit
Mr. Safiul Islam Mondal
..... For the Petitioner.

Mr. Gauranga Kumar Das
Mr. Sagar Saha
Ms. Nayana Mukhopadhyay
.....For the State

1. Learned advocate appearing for the petitioner submits that the petitioner has been in custody for three years and seven months. He submits that, till date, nine witnesses have been examined and that a Co-ordinate Bench, while dealing with the bail application filed by the present accused person, observed that there is no possibility of an early conclusion of the trial. He cites an order passed by the Hon'ble Supreme Court in Petition for Special Leave to Appeal (Crl.) No. 17249 of 2026 and submits that the co-accused, standing on the same footing, has been granted bail by the Hon'ble Supreme Court. In view of such facts and circumstances, he prays for bail for the petitioner.

2. Learned advocate appearing for the State produces the Case Diary and opposes the prayer for bail.

3. The order dated September 28, 2026, passed by the Hon'ble Supreme Court in Petition for Special Leave to Appeal (Crl.) No. 17249 of 2026, indicates that one co-accused, who was one of the gunmen who shot the deceased, has been enlarged on bail by the said order. Therefore, the petitioner stands on the same footing. The petitioner has been in custody for more than three years and there is no likelihood of an early conclusion of the trial. Prolonged incarceration of the petitioner militates against his right to a speedy trial guaranteed under Article 21 of the Constitution of India. Taking note of the aforesaid facts, I am of the view that the petitioner be granted bail.

4. Accordingly the petitioner, namely **Ujjawal Sarkar @ Ujjal Sarkar** shall be released on bail upon furnishing a 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 the learned Chief Judicial Magistrate, Alipore. The petitioner shall be physically present on each and every date before the Trial Court and shall not leave the jurisdiction of the District 24 Parganas (South) without prior permission of the learned Court below.

6. The application for bail is, thus, **allowed**.

7. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

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

(Partha Sarathi Chatterjee, J.)