

27.03.2026
Item No.23
Court No.7
KB
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

C.R.M. (M) 414 of 2025

In Re:- An application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with
Gorurbathan Police Station Case No. **29 of 2021** dated
13.08.2021, under Sections **419/420/384/306** of the Indian
Penal Code, 1860.

And

In the matter of : **Abdul Kayum @ Kayyum**
.....petitioner

Mr. Sourav Ganguly, Advocate
Mr. Gopal Roy, Advocate
Ms. Rishita Chakraborty, Advocate
...for the petitioner

Mr. Abhijit Sarkar, Advocate
Dr. Arjun Chowdhury, Advocate
...for the State

1. Petitioner renews the prayer for bail.
2. Learned Advocate appearing for the petitioner submits
that the petitioner is in custody for 846 days without any
possibility of the petitioner ending any time soon.
3. Learned Advocate appearing for the State submits that,
out of 25 prosecution witnesses, 13 were examined.
Although a batch of dates were fixed in the month of
March, he is without any information, as on date as to
the outcome of the trial on those dates.
4. Prayer for bail was initially rejected on March 13, 2024
passed in CRM (DB) 161 of 2024. A special leave petition

carried against such order of rejection, was disposed of by an order dated January 31, 2025 permitting the petitioner to renew the request for bail after a period of six months.

5. A period of six months obviously stands expired since January 31, 2025.
6. Out of 25 prosecution witnesses, only 13 are examined. Petitioner is in custody of 846 days.
7. Considering the period of custody of the petitioner and considering the order of the Supreme Court which allowed the petitioner to renew his prayer for bail and considering the fact that, the trial is unlikely to conclude any time soon, it would be appropriate to grant bail to the petitioner.
8. Consequently, prayer for bail of the petitioner is granted.
9. Accordingly, I direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the **Learned Sessions Judge, Kalimpong**, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
10. Petitioner is a resident of Rajasthan. Petitioner will, therefore, furnish an address where the petitioner will

reside, within the jurisdiction of the police station of the Court at which, the trial is taking place. Petitioner will report to the Inspector-in-Charge of such local police station once of fortnight.

11. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
12. The application for prayer for bail is **allowed**.
13. **CRM (M) 414 of 2025** is **disposed of**.

(Debangsu Basak, J.)