

28.02.2025

Serial no. 8 & 11

[*Dd*]

(*Bail allowed*)

CRM (DB) 3303 of 2024

With

CRAN 1/2025

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Ekbalpore** Police Station Case No. **78** dated **11.03.2012** under Sections **302 and 34** of the Indian Penal Code, 1860,

-And-

In the matter of : Manwar Alam @ Manwar Ali @ Sk. Chand@ Chand

... ... Petitioners

with

CRM (DB) 4141 of 2024

In re: An Application for Bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ekbalpore Police Station Case No. **78** of **2012** dated **11.03.2012** under Sections **302 and 34** of IPC and Sections **25(1)(a)/27** of the Arms Act, 1959 and charge sheet submitted under Section **302/34 IPC**.

In the matter of : Sk. Zakir Hossain @ Birju

Mr. Sandip Kr. Bhattacharya,

Mr. Dipta Dipak Banerjee., Advocate

... ... For the Petitioner in CRM(DB) 3303/2024

Mr. Apalak Basu,

Mr. Nazir Ahmed,

Ms. Sanghamitra Midhra, Advocates

... ... For the Petitioner in CRM(DB) 4141/2024

Mr. Debabrata Chatterjee,

Ms. Nandini Chatterjee,

Ms. Sanjida Sultana, Advocates

... For the State in CRM(DB) 3303/2024

Mr. Soumik Ganguly,

Mr. Sharequl Haque, Advocates

... For the State in CRM(DB) 4141/2024

1. Two applications for bail are taken up for analogous hearing as they emanate out of the same police case.

Petitioners in both the applications for bail were granted interim bail by the co-ordinate Bench. Prior to the grant of interim bail, both the petitioners were in custody for a period in excess of 12 years.

2. There is hardly any possibility of the trial ending any time soon in the near future.
3. Purely on the principle of Article 21 of the Constitution of India, we confirm the interim bail granted in favour of both the petitioners before us.
4. Accordingly, we direct that the both the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, South 24 Parganas at Alipore subject to condition that the petitioners shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
5. In the event, the petitioners fail to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.
6. The prayer for bail of both petitioners is **allowed**.
7. CRM (DB) 3303 of 2024 and CRM (DB) 4141 of 2024 along with connected application are **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)