

D/L. 3 to 5.
August 6, 2026.
MNS

CRA 493 of 2015

+

CRAN 2 of 2020

Jabbarul Halsana @ Kone and others

Vs.

The State of West Bengal

With

CRA 516 of 2015

Kazi Hamidul Haque and others

Vs.

The State of West Bengal

With

CRA 719 of 2015

+

CRAN 2 of 2016 (Old CRAN 2774 of 2016)

Ekram Sk.

Vs.

The State of West Bengal

In the matter of: An application under Section 389(1) of the Code of Criminal Procedure, 1973 for grant of bail and suspension of sentence during the period of appeal.

In the matter of: Jabbarul Halsana @ Kone

...appellant no. 1/petitioner
in CRA 493 of 2015.

Mr. Sekhar Kumar Basu, Sr. Adv.,
Mr. Saryati Datta, Adv.

... for the petitioner in CRAN 2 of 2020.

Re: CRAN 2 of 2020
filed in connection with CRA No. 493 of 2015.

1. We are apprised that the notice has already been served on the State through the Office of the learned Public Prosecutor. Leave is granted to the learned Advocate-on-record for the appellant no. 1/petitioner to file an affidavit-of-service in that regard during the course of the day.
2. However, none appears to oppose the prayer for bail.

3. Learned senior counsel for the appellant no. 1/petitioner submits that although previously the prayer for bail made by the petitioner was rejected, the petitioner has already spent more than eleven years behind bars.
4. Moreover, by a subsequent order dated December 24, 2025, another co-convicted person, standing on the same footing, was enlarged on bail.
5. In view of the aforesaid circumstances and taking into consideration the long period of custody already suffered by the appellant no. 1/petitioner and that the personal liberty of the appellant no. 1/petitioner is unduly being curtailed due to no fault of the petitioner but the inability of the Court to hear out the appeal due to heavy rosters, we are inclined to grant bail to the appellant no.1/petitioner.
6. Accordingly, CRAN 2 of 2020 is allowed, thereby granting bail to the appellant no. 1/petitioner on condition that the petitioner furnishes bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Krishnanagar, District- Nadia.
7. The appellant no. 1/petitioner shall not leave the territorial jurisdiction of his residential police station during pendency of the appeal, apart from making himself available, if and when called to so appear in connection with the appeal by this Court.
8. Liberty to the parties to mention the appeal for enlistment before the appropriate Bench having regular determination.

(Supratim Bhattacharya, J.)

(Sabyasachi Bhattacharyya, J.)