

M/L. 4 with 5.
August 3, 2026.
MNS

CRA 527 of 2018
+
CRAN 3 of 2026
With
CRA 525 of 2018
+
CRAN 2 of 2022
+
CRAN 3 of 2026

In the matter of: An application under Section 430(1) of the Bhartiya Nagarik Suraksha Sanhita, 2023 [previously, Section 389(1) of the Code of Criminal Procedure, 1973] for grant of bail and suspension of sentence.

In the matter of : Arnab Biswas

.... appellant/petitioner in CRA 527 of 2018

Mr. Sekhar Kumar Basu, Sr. Adv.
Mr. Soubhik Mitter, Adv.

... for the appellant/petitioner

Mr. Somopriyo Chowdhury,
Mr. Abhijit Singh

....for the State.

Re: CRAN 3 of 2026
in connection with CRA 527 of 2018.

1. The appellant/petitioner is behind the bar for about nine years now.
2. Learned senior counsel appearing for the petitioner submits that the mother of the petitioner, who was also one of the convicted persons, has been released on bail; whereas the application for bail of the petitioner was rejected on two previous occasions.

3. Learned counsel appearing for the State seriously opposes the prayer for bail/suspension of sentence on the ground of the gravity of the offence.
4. While fully appreciating the gravity of the offence, this Court is of the opinion that since the last rejection of a similar prayer of the petitioner on February 21, 2022, more than four years have elapsed without the appeal being heard.
5. Moreover, since the trial is already over, there is no scope of the appellant/petitioner influencing the witnesses and tampering with the evidence in any manner.
6. In view of the long period of custody, we are of the opinion that the demand of personal liberty requires that the appellant/petitioner be granted the relief sought for.
7. Accordingly, CRAN 3 of 2026 is allowed, thereby granting bail to the appellant/petitioner on condition that the appellant/petitioner furnishes a 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, Nadia.
8. The appellant/petitioner shall make himself available as and when required to do so by this Court in connection with the appeal. The appellant/petitioner shall not leave the territorial jurisdiction of the police station of his residence during pendency of the appeal, except for the purpose of attending this Court, if and when directed to do so.

(Supratim Bhattacharya, J.)

(Sabyasachi Bhattacharyya, J.)