

25.09.2025
Court No.13
Item No.16
pk

CRA 690 of 2018
With
CRAN 2 of 2020 (Old No: CRAN 296 of 2020)
With
CRAN 3 of 2021
CRAN 4 of 2024

Avijit Ghosh & others
Vs.
The State of West Bengal

Mr. Biswajit Manna,
Mr. S. Sarkar,
Mr. S. Ganguly

... For the Appellants.

Mr. Anasuya Sinha,
Ms. Snigdha Saha

...For the State.

1. The report of the Superintendent, Dum Dum Central Correctional Home dated 08.09.2025 in respect of the two applicants is taken on record.

2. It appears that the two applicants have suffered incarceration for 13 years 5 months and 13 days as on 8th September, 2025. Nothing adverse has been reported against Debu Mukherjee @ Anup. He has been successfully performing his duties as in-charge of the medical ward where psychiatric ill inmates are lodged. Previously he successfully performed his duties as “Pahara’ at Club Railing gate bear recreation Club inside Dum Dum Central Correctional Home. He availed special parole for a period of 30 days during Covid-19. Insofar as Biswajit Ghosh is concerned, the Correctional Home reports nothing adverse against him. He has been successfully performing

his duties in the Pharmacy Department inside the Correctional Home.

3. Having regard to the above and dicta of the Hon'ble Supreme Court in the case of **Saudan Singh Vs. State of Uttar Pradesh** reported in **(2023) 17 Supreme Court Cases 446** and **Kashmira Singh Vs. State of Punjab** reported in **(1979) 3 SCC 428**, this Court is of the view that the sentence of the two applicants may be suspended and they may be enlarged on bail.
4. Accordingly, the appellants shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the ACJM, Barrackpore and on condition that Biswajit Ghosh shall appear before the Officer-in-Charge, Nimta Police Station once in a month till disposal of the instant appeal and Debu Mukherjee shall also appear before the Officer-in-Charge, Ghola Police Station, North 24 Parganas under Barrackpore Police Commissionerate once in a month till disposal of the instant appeal.
5. In the event they fail to do so, the learned Magistrate shall forthwith report such fact to this Court and the Department shall place the matter before the appropriate Bench for necessary orders.
6. All applications are disposed of.
7. List this appeal in the Monthly List of February, 2026.

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

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)