

14.
04.11.2025.
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I.A. No. CRAN 6 of 2025
In
C.R.A. 696 of 2017

In the matter of: an application for bail under Section 389 of the Code of Criminal Procedure, 1973 corresponding to Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023 being CRAN 6 of 2025 filed on 11.04.2025 in connection with Sessions Case No. 32 of 2013 corresponding to Sessions Trial No. 45 of 2013.

And

In re.: Taimur Sk. & Ors.

... Appellants.

Mr. Kousik De,
Ms. Mohini Majumder,
Mr. Raghav Munshi,
Ms. Ayelita Ghosh,
Mr. Adrish Chatterjee.

... For the appellant no.4.

Mr. Sabir Ahmed,
Md. Abdur Rakib,
Md. Mojuhid Mehedi.

...For the appellant nos.1, 2 & 3.

Mr. Debasish Roy, ld. P.P.
Mrs. Zareen N. Khan,
Mr. Asif Dewan.

.... for the State

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1. In a sessions trial, the appellants were convicted under Sections 302/34 Indian Penal Code by the learned Additional Sessions Judge, FTC-II, Islampur, Uttar Dinajpur.

2. Against such order of conviction and sentence, a statutory appeal has been preferred by the appellants which has already been admitted. Now, with the liberty granted by a Co-ordinate Bench of this Court admitting the appeal, the

appellant no.4, namely, Sentu Ali has approached this Court for suspension of sentence.

3. The report of the Superintendent, Balurghat Correctional Home dated 25th October, 2025 is perused by this Court. The same is taken on record. It appears therefrom that the appellant no.4, Sentu Ali has served sentence of seven years eleven months and eleven days. It is reported that the appellant no.4 is very submissive and maintains good behaviour in the Correctional Home. No adverse report has been found/recorded against him. The convict is calm and polite and maintains good relation with other inmates.

4. It is submitted by the Counsel for the appellant no.4 that all other appellants have been enlarged on bail by the Hon'ble Supreme Court of India in Special Leave to Appeal (Crl.) No. 4011 of 2025 vide an order dated 2nd May, 2025.

5. In that view of the matter, this Court is inclined to suspend the sentence of the appellant no.4.

6. Accordingly, we direct that pending hearing of the appeal, the order of execution of sentence shall remain suspended and the appellant no.4, namely, Sentu Ali shall be released on bail on a bond of Rs.10,000/- with two sureties of Rs.5,000/- each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Islampur, Uttar Dinajpur subject to the condition that the appellant no.4 shall report to the Officer-in-charge, Karandighi Police Station once in a month until

further orders and on further condition that he shall not leave the jurisdiction of Trial Court without its prior permission.

7. In default of compliance of any of the aforesaid conditions, the bail shall stand automatically cancelled and the appellant no.4 shall be taken into custody without any further reference to this Court.

8. With the aforesaid observations, CRAN 6 of 2025 is disposed of.

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9. It appears from the records that since the paper books in this matter have been prepared and served upon the respective parties, list the appeal in the Monthly Combined List of February, 2026 under the heading “**Hearing**”.

10. Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of necessary formalities.

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)