

**IN THE HIGH COURT AT CALCUTTA**  
[ CIRCUIT BENCH AT PORT BLAIR ]

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**CRM(M)/4/2026**

**In Re:** An application for bail under Section 439 of the Code of Criminal Procedure in connection with PS Aberdeen in FIR No. 199 of 2019 dated 28.03.2019 under Section 302/397/201/24 of the Indian Penal Code read with Section 3(2)(v) of SC/ST Act.

Shri Shubhankar Ghosh

Vs.

The State

Mr. Siddhartha Singha                      ... for the petitioner

Mr. Sumit Kumar Karmakar      ... for the State

April 22, 2026  
[SR]  
Item No.3

1. The petitioner seeks bail primarily on the ground of parity with a co-accused person who was released on bail vide Order dated March 17, 2026 passed in CRM(M)/1/2026, as well as on the ground that the petitioner is already in custody for about seven years but still only 19 out of 42 cited witnesses have been examined in the trial.
2. Learned Public Prosecutor cites the heinous nature of the alleged offence and opposes the prayer for bail.
3. However, considering the long period of detention which the petitioner has already undergone, coupled with the fact that there is no possibility of the trial being concluded in the near future, since only 19 out of total 42 cited witnesses have been examined as yet, as well as on the ground of parity with the other co-accused person standing on similar footing as the petitioner who has

already been enlarged on bail, the Court is of the opinion that the petitioner ought to be given similar benefit.

4. Accordingly, CRM(M)/4/2026 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the learned Chief Judicial Magistrate at Port Blair.

5. The grant of bail shall be subject to the further condition that the petitioner shall attend the Aberdeen Police Station once a fortnight till the completion of the trial and shall not leave the jurisdiction of the District of South Andaman without prior permission of the jurisdictional Court during the period of trial.

6. The petitioner shall not, in any manner, tamper with the evidence or make any attempt to induce, intimidate or approach any of the witnesses in the case and shall make himself available in the trial if so called upon to do by the Trial Court, during the period of trial.

**( Sabyasachi Bhattacharyya, J. )**