

**C.R.M. 2382 of 2020**

**(Through Video Conference)**

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Barasat P.S. Case No. 534 of 2018 dated 26.07.2018 under sections 376/379/120B of the Indian Penal Code.

And

In the matter of : Jagannath Acharya

Mr. Arka Chakraborty

... ... for the petitioner

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

... ... for the State

Petitioner is in custody for more than two years. It is submitted that there is little possibility of the trial concluding in near future

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Keeping in mind the protracted period of detention suffered by the petitioner and as there is little possibility of the trial concluding in near future, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing 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, Barasat, North 24-Parganas subject to the condition that the petitioner shall not enter the jurisdiction of Barasat Police Station except

for the purpose of attending Court proceedings and shall provide the address where he shall presently reside to the investigating officer as well as the Court below and shall report to the officer-in-charge of the concerned Police Station within whose jurisdiction he presently reside and shall appear before the trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to do so without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this court.

The application for bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

**(Suvra Ghosh, J.)**

**(Joymalya Bagchi, J.)**