

**24.09.2020**

*Sl.No. 13*

*Ct.No.08*

Amalranjan

**IN THE HIGH COURT AT CALCUTTA  
CRIMINAL MISCELLANEOUS JURISDICTION  
APPELLATE SIDE**

***(Via Video Conference)***

**CRM No. 6828 of 2020**

In re: Najim Hoque

..... Petitioner

Re: An application for bail under Section 439 of the  
Criminal Procedure, 1973.

Mr. Anindya Ghosh

..... For the Petitioner

Mr. Aditi Sankar Chakraborty

Mr. Nilay Chakraborty

Mr. Aniruddha Biswas

..... For the State.

Re.: CRAN 1 of 2020

The petitioner undertakes to affirm and properly stamp the petition as per the rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking.

We have heard the submissions of learned counsel appearing for the petitioner and learned counsel appearing for the State.

The case against the petitioner is under Section 304B of the Indian Penal Code (Dowry Death). He is in custody for 640 days. The chargesheet was submitted in March, 2019.

But charges have been not framed till date. The two other co-accused persons have been enlarged on bail according to the submission of learned counsel for the petitioner and not contradicted by his opponent. However, learned counsel for the State opposes the prayer for bail.

In those circumstances, we allow this application for bail with the condition that the charge has to be framed. Trial has to be commenced and concluded as expeditiously as possible, preferably by 31<sup>st</sup> March, 2021.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand only) together with personal release bond of equivalent value to the satisfaction of the appropriate court, Cooch Behar. The petitioner must, however, attend on every date fixed for trial; and in the event of failing to do so, the trial court shall be at liberty to cancel the bail of the petitioner without any reference to the court.

The accused shall not leave the jurisdiction of the local police station without informing the IC and giving him all particulars of his whereabouts.

CRM 6828 of 2020 and CRAN 1 of 2020 are disposed of.

**( Md. Nizamuddin, J. )**

**( I. P. Mukerji, J. )**

