

10.12.2021.
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as
(Allowed)

C.R.M. 3198 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P.S. Case No.315 of 2014 dated 09.07.2014 under Sections 147/148/149/302 of the Indian Penal Code and Section 25/27 of the Arms Act.

In the matter of : Amirul Karikor @ Pintu Sheikh.
... Petitioner.

Mr. Sagar Saha,
Mr. Subir Debnath,
Ms. Roma Roy.
...for the
Petitioner.

Mr. Neguive Ahmed,
Ms. Amita Gaur.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Status report is not filed by the State.

Petitioner is in custody for more than six years. It appears that there is hardly any progress in the trial since the last rejection of bail by this Court. Co-accused persons are on bail.

Under such circumstances, balancing the gravity of the offence on one hand and the protracted period of detention suffered by the petitioner, infringing his fundamental right to speedy trial under Article 21 of the Constitution of India on the other hand and as the co-

accused has been enlarged on bail, we are of the opinion that the petitioner may be enlarged on bail, subject to strict conditions.

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 Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that the petitioner 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 and on further condition that the petitioner shall not leave the jurisdiction of Santipur Police Station except for the purpose of attending court proceedings and shall appear before the Officer-in-charge of the Santipur Police Station once in a week until further orders.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application, being C.R.M.3198 of 2021, is disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)

