

20.06.2022
cm/ct 28
sl no. 24

C.R.M. (DB) No. 1639 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Madhyamgramr P.S Case No. 40 of 2018** dated **18.01.2022** under Sections **498A/302** of the Indian Penal Code.
And

Allowed

In Re : Bidhan Chandra Mondal

..... petitioner

Mr. Arka Chakraborty

..... for the petitioner

Mr. S.G. Mukherji, Ld. P.P.

Mr. Partha Pratim Das

Ms. Manasi Roy

..... for the State

Report is placed on record.

We have considered the materials on record. Though allegations are grave, incident occurred around 14 years after marriage. Even discounting prevailing pandemic conditions, we find the progress in the trial was very slow. Under such circumstances, we are constrained to hold further detention of the petitioner would be violative of his fundamental right to speedy trial under Article 21 of the Constitution and he is entitled to bail.

Accordingly, the petitioner be released on bail upon furnishing bonds of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned CJM, Barasat, on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event petitioner fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) No. 1639 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)