

22.06.2022
cm/ct 28
sl no. 43

C.R.M. (DB) No. 1945 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Tehatta P.S Case No. 339 of 2016** dated **22.06.2016** under Sections **395/397/412** of the Indian Penal Code.

And

Allowed

In Re : Dominik @ Domik @ Tutul Biswas & Anr.
..... petitioners

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee

..... for the petitioner

Mr. Sudip Ghosh
Mr. Apurba Kumar Datta
Mr. Bitasok Banerjee

..... for the State

Petitioners are in custody for about six years. He submits that there is slow progress in the trial of the case. He further submits that co accuseds were on bail.

Learned lawyer for the State submits that trial is in progress.

We have considered the materials on record. No doubt allegations are serious. However, petitioners are in custody for more than six years and there is little chance of the trial concluding in near future. Under similar circumstances co accuseds have been granted bail and petitioners stand on the same footing with the said co accuseds and they are entitled to be released on bail.

Accordingly, the petitioners be released on bail upon furnishing bonds of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Tehatta, Nadia on condition that petitioners 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 petitioners while on bail shall remain within the jurisdiction of Tehatta Police Station except for the purposes of investigation and/or attending court proceedings and shall report to the officer-in-charge of the Tehatta Police Station once in a week until further orders.

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

The application being CRM(DB) No.1945 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)