

24.08.2022
cm/ct 28
sl no. 35

C.R.M. (DB) 2844 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kalyani P.S. Case No. 336 of 2014 dated 03.07.2014 under Sections 363/364A of the Indian Penal Code. Subsequently charge sheet submitted under Sections 363/366A/379/411/34 of the Indian Penal Code, and Sections 25(1)(a)/27 of the Arms Act.

Allowed

In Re : Prabal Kanti Daw @ Bilash.

..... petitioner

Mr. Prabir Majumder
Mr. S. Kanumder

..... for the petitioner

Mr. Nguive Ahmed, Ld. A.P.P.
Ms. Ayantika Roy

..... for the State

Petitioner submits co-accuseds have been granted bail. There is inordinate delay in trial of the case.

Learned Additional Public Prosecutor for the State opposes the prayer for bail.

We have considered the materials on record. We note there is inordinate delay in trial. Petitioner is in custody for more than eight years. Co-accuseds have been granted bail. Accordingly, we are inclined to grant bail to the petitioner also.

Accordingly, the petitioner 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, Kalyani, Nadia 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 he fails 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. 2844 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)