

15.11.2022.
25.
as
(Allowed)

C.R.M. (DB) 3960 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nischinda P. S. Case No.187 of 2021 dated 05.10.2021 under Sections 498-A, 304-B and 34 of the Indian Penal Code.

In the matter of : Vijay Shankar Mishra.

.... Petitioner.

Mr. P. Ghosh,
Mr. M. Pramanik.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. P. P. Das,
Ms. Manasi Roy.

...for the State.

Petitioner is in custody for 203 days. He renews his prayer for bail. He submits there is little progress in the matter since rejection of bail of the petitioner by this Court.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There is little progress in the matter since the rejection of bail of the petitioner by this Court. Cause of death is suicidal.

Balancing the nature of accusation with the period of detention suffered by him and as there is little possibility of the trial commencing let alone concluding in the near future, we are inclined to grant bail to the petitioner.

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 Chief Judicial Magistrate, Howrah subject to condition that he 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.

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 his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)