

07.12.2022

Sl. No.29
[ALLOWED]

C. R. M. (DB) 4313 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.12.2022 in connection with Kharagpur Town Police Station Case No.186 of 2013 dated 13.06.2013 under Section 395 of the Indian Penal Code read with Sections 25/27 of the Arms Act and subsequently charge-sheet submitted under Sections 395/412 of the Indian Penal Code read with Sections 25/27 of the Arms Act. (G.R. Case No.1912 of 2013)

And

In Re: **Ankit Jain**

... .. Petitioner

Mr. Ayan Basu
Sk. Salim
Mr. Sumit Routh

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Dipankar Paramanick

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than nine years.

Learned Additional Public Prosecutor opposes the prayer for bail and submits trial is at its fag-end.

We have considered the materials on record. The offences do not attract mandatory life imprisonment. Under such circumstances and in view of the protracted period of detention suffered by the petitioner which has infringed his right to speedy trial under Article 21 of the Constitution of India, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Ankit Jain**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Paschim Medinipur subject to condition that the said

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.

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 for bail, thus, stands **allowed**.

(Siddhartha Roy Chowdhury, J.)

(Joymalya Bagchi, J.)