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CRM(DB) No. 18 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Indpur Police Station Case No. 70 of 2014 dated 05.10.2014 under Sections 302/201/34 of the Indian Penal Code and charge-sheet submitted under Sections 302/201/120B/34 of the Indian Penal Code.

And

In Re : Bapi Paramanik & Anr. petitioners

Mr. Arkaprabho Roy

.....for the petitioners

Mr. Rudradipta Nandy, learned APP

Ms. Sonali Das

Mr. Subrata Roy

..... for the State

Learned Counsel appearing for the petitioners submits they are in custody for eight years. It is also submitted there is inordinate delay in trial. They pray for bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits report. Report is placed on record. It is contended most of the prosecution witnesses have been examined.

We have considered the materials on record. Allegations against the petitioners are grave but they have suffered incarceration for more than eight years. Most of the witnesses are examined. Medical and official witnesses are yet to be examined. In view of the aforesaid circumstances we are inclined to grant bail to them.

Accordingly, we direct that the petitioners viz. 1) Bapi Paramanik and 2) Dhananjay Paramanik shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Khatra, Bankura, subject to conditions that petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

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 in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)