

06.01.2023.
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as
(Allowed)

C.R.M. (DB) 37 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta P. S. Case No.493 of 2015 dated 08.10.2015 under Sections 302/34 of the Indian Penal Code read with Section 25/27 of the Arms Act.

In the matter of : Sohel Rana Sk.

.... Petitioner.

Mr. Asraf Mandal.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharya.

...for the State.

Petitioner is in custody for more than six years. There is inordinate delay in conducting the trial. On such score, co-accuseds are on bail.

Learned Advocate for the State opposes the prayer for bail and produces the case diary.

We have considered the materials on record. There is inordinate delay in conducting trial. Co-accuseds are on bail.

Under such circumstances, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner viz., Sohel Rana Sk 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 Additional Chief Judicial Magistrate, Tehatta, Nadia 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.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)