

24.01.2023.
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as
(Allowed)

C.R.M. (DB) 160 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nandigrm P. S. Case No.43 of 2018 dated 05.02.2018 under Sections 341/354/326/307 of the Indian Penal Code and adding Section 302 of the Indian Penal Code.

In the matter of : Laxman Bhunia @ Lakhan Bhunia.
.... Petitioner.

Mr. Amal Krishna Samanta.
...for the Petitioner.

Mr. Atif Ahmed Siddiqui.
...for the State.

Petitioner is in custody for more than four years. He submits there is inordinate delay in trial. He prays for bail.

Report is placed on record. From the report it appears only 3 out of 19 witnesses have been examined. Delay cannot be attributed to the petitioner.

In view of the inordinate delay in trial, we are inclined to grant bail to the petitioner.

Accordingly, the petitioners viz., Laxman Bhunia @ Lakhan Bhunia 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, Haldia, Purba Medinipur 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.)