

10.02.2023
Sl. No.40
akd
[ALLOWED]

C. R. M. (DB) 562 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.02.2023 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 subsequently charge sheet submitted under Sections 302/201/120B/34 of the Indian Penal Code. (G.R. Case No.699 of 2014)

And

In Re: ***Ganesh Paramanik & Ors.***

... .. Petitioners

Mr. Arkaprabho Roy

... .. for the petitioners

Mr. Sudip Ghosh

Mr. Apurba Kumar Datta

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about eight years. It is further submitted there is inordinate delay in trial. Co-accuseds have been enlarged on bail. Petitioners pray for bail on parity.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There is inordinate delay in trial. Medical and official witnesses are left to be examined. There is no possibility of winning over those witnesses. Co-accuseds have been enlarged on bail. Under such circumstances and in view of the period of detention suffered by the petitioners, we are inclined to grant bail to them on parity.

Therefore, the accuseds/petitioners, namely **(1) Ganesh Paramanik, (2) Ananda Roy, (3) Lakkhan @ Lakkhikanta Roy & (4) Pradip Nandi**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)