

16.02.2023
tkm/ct 28
sl no. 56

C.R.M. (DB) 644 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Singur P.S case no. 36 of 2016 dated 1.2.2016 under sections 395/397 of the IPC and sections 25/27 of the Arms Act, charge sheet submitted under sections 395/397/396 IPC read with sections 25/27 of the Arms Act
and

Allowed

In Re : Somnath Mondal @ Som

..... petitioner

Ms. J Rudra
Ms Megha Chanda

..... for the petitioner

Mr. M Sur
Mr. Ashok Das

..... for the State

Petitioner is in custody for more than seven years. It is submitted there is inordinate delay in trial. Co-accused has been enlarged on bail. He prays for bail.

Learned lawyer for the State submits accused had also contributed to the delay.

We have considered the materials on record. Co-accused is on bail. Petitioner stands on the same footing with the said co-accused.

Under such circumstances and in view of the protracted period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Chandernagore, Hooghly on condition that the petitioner shall appear before the trial court on every date of hearing 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 being CRM (DB) 644 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)