

16.02.2023
tkm/ct 28
sl no. 60

C.R.M. (DB) 650 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Serampore P.S case no. 332 of 2017 dated 6.7.2017 under sections 498A/302/34 of the IPC
and

Allowed

In Re : Md. Chattu

..... petitioner

Mr. D Banerjee
Mr Protip Mukherjee
Ms. Rima Banerjee

..... for the petitioner

Mr. D Chatterjee
Ms. Debjani Dasgupta

..... for the State

Petitioner is in custody for more than five 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 opposes the bail prayer.

We have considered the materials on record. Though allegations are grave, there is inordinate delay in trial. Co-accused has been enlarged on bail. Petitioner stands on the same footing with the co-accused.

Hence, we are inclined to extend the same privilege to the petitioner also.

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, Serampore, 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) 650 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)