

17.03.2023.
28.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 954 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P. S. Nadia Case No.23 of 2023 dated 08.01.2023 under Section 376 of the Indian Penal Code.

In the matter of : Robin Biswas @ Prabin.

.... Petitioner.

Ms. Mallika Manna,
Mr. Sumanta Das.

...for the Petitioner.

Mr. Joydeep Roy, Id. Jr. G.A,
Ms. Sujata Das.

...for the State.

Learned Advocate for the petitioner submits there is inordinate delay in lodging the first information report. Investigation is complete. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. There is delay of over 200 days in lodging the first information report. Credibility of accusation requires to be considered in the light of the aforesaid delay during trial. Investigation is complete.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Robin Biswas @ Prabin 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, Ranaghat, 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)