

23.03.2023
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allowed

CRM(DB) No. 1058 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Patuli Police Station Case No. 518 of 2013 dated 08.08.2013 under Sections 395/397 of the Indian Penal Code and Sections 25(1B)(a)/27 of the Arms Act.

And

In Re : Shaidul Laskar @ Chotu & Anr. petitioners

Ms. Roma Roy

Mr. Manojit Debnath

....for the petitioners

Mr. Saibal Bapuli, learned APP

Mr. Arani Bhattacharyya

..... for the State

Learned Counsel for the petitioners submits they are in custody for more than nine years. There is inordinate delay in trial. Co-accuseds are on bail.

Learned Counsel for the State opposes the prayer for bail and submits trial is merely in completion.

Be that as it may, petitioners stand on the same footing with the co-accuseds who have been enlarged on bail. Accordingly, we are inclined to extend the same privilege to the petitioners also.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Alipore, South 24 Parganas, subject to condition that the petitioners shall appear before the trial court on every date of

hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)