

10.04.2023
tkm/ct 28
sl no. 46

C.R.M. (DB) 1395 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Taldangra P.S case no. 47 of 2020 dated 3.8.2020 under sections 305/34 of the IPC
and

Allowed

In Re : Chittaranjan @ Pintu Rakshit

..... petitioner

Mr. R Mukherjee

Mr. A Roy

..... for the petitioner

Mr. Binay Panda

Ms. Puspita Saha

..... for the State

Petitioner is in custody for more than two years. He submits there is delay in trial. He prays for bail.

Learned lawyer for the State opposes the prayer for bail and submits bail prayer of the petitioner was rejected earlier on merits.

We have considered the materials on record. Though the petitioner is in custody for more than two years, there is hardly any progress in the matter.

Under such circumstances, we are of the opinion petitioner is entitled to bail on the ground of delay in trial which has infringed his fundamental right to speedy trial under Article 21 of the Constitution of India.

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, Khatra, Bankura 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) 1395 of 2023 is disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)