

05.06.2023
tkm/ct 28
sl no. 48

C.R.M. (DB) 2086 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jamuria PS case no. 31 of 2016 dated 23.1.2016 under section 394/397 of the IPC and 25/27 of the Arms Act
And

Allowed

In Re : Sujit Kumar Singh petitioner

Mr. Angshuman Chakraborty
Mr. S S Saha

..... for the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kr. Mitra

..... for the State

Heard learned lawyers for the parties.

Petitioner is in custody for more than seven years. Only 6 out of 11 witnesses have been examined. There is no possibility of trial concluding in the near future. Offences, even if proved, would not attract mandatory life imprisonment.

Under such circumstances we are of the opinion petitioner has been able to demonstrate breach of his fundamental right to speedy trial and is entitled to bail on this score.

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 Asansol 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 and on further condition that the petitioner while on bail shall remain within the District of Paschim Bardhaman and shall report to the

Officer-in-Charge, Jamuria P.S once in a week until further orders.

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) 2086 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)