

03.07.2023
Sl. No.105
akd
[ALLOWED]

C. R. M. (DB) 2431 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.06.2023 in connection with Burdwan Police Station Case No.118 of 2016 dated 01.02.2016 under Sections 395/397/326/307 of the Indian Penal Code read with Sections 25/27 of the Arms Act and subsequently charge sheet submitted under Sections 395/397/326/307/412 of the Indian Penal Code read with Section 25/27 of the Arms Act. (G.R. Case No.492 of 2016)

And

In Re: ***Abhijit Ray @ Bapan***

... .. Petitioner

Ms. Jeenia Rudra
Ms. Megha Chandra

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Ashok Das

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about seven years and two months. It is further submitted there is inordinate delay in trial. Co-accused has been enlarged on bail. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Co-accused has been enlarged on bail. Hence, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely ***Abhijit Ray @ Bapan***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Burdwan subject to condition that the said petitioner 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 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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)