

04.07.2023.
129.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2576 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore P. S. Case No.775 of 2021 dated 28.07.2021 under Sections 406/420/467/468/471/120B of the Indian Penal Code.

In the matter of : Santosh Hazra.

.... Petitioner.

Mr. S. Das Mahapatra,
Mr. Ali Ahsan Alamgir,
Ms. Rabia Khatun,
Ms. Soma Mal.

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Ms. Sonali Das.

...for the State.

Petitioner is in custody for 704 days. There is delay in trial. He renews his bail prayer.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Allegations, even if proved, would not attract mandatory life imprisonment. Petitioner is in custody for a considerable period of time and there is hardly any progress in the matter since rejection of bail by this Court.

Keeping in mind the aforesaid circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner, viz., Santosh Hazra 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 Chief Judicial Magistrate,

Murshidabad at Berhampore 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.)