

13.07.2023.
16.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2745 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khardah P. S. Case No.457 of 2010 dated 22.08.2010 under Sections 326/307/302/34 of the Indian Penal Code.

In the matter of : Arjun Basfor @ Arjun Banshfore
@ Arjun Bansfore.

.... Petitioner.

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Souvik Das,
Mr. Anamitra Banerjee.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Manoranjan Mahata.

...for the State.

Petitioner is in custody for more than five years. He submits there is delay in trial. Co-accused has been granted bail. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits bail prayer of the petitioner was rejected earlier.

We have considered the materials on record. Bail prayer of the petitioner was rejected in March, 2022. Thereafter, matter has hardly progressed. Co-accused has been enlarged on bail on the ground of delay.

In view of the aforesaid circumstances, petitioner is entitled to similar relief.

Accordingly, the petitioner viz., Arjun Basfor @ Arjun Banshfore @ Arjun Bansfore 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 Additional Chief Judicial Magistrate, Barrackpore, North 24-Paraganas 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.)