

12.07.2023
tkm/ct 28
sl no. 45

C.R.M. (DB) 2781 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raniganj P.S case no. 130 of 2018 dated 2.5.2018 under sections 394/397/307 of the IPC and sections 3/4 of the Explosive substances Act, charge sheet submitted under sections 394/397/307/302/411 of the IPC and sections 25(1B)(a)/27/35 of the Arms Act

and

Allowed

In Re : Md. Abbas

... petitioner

Mr. A Chakraborty

Mr. S S Saha

..... for the petitioner

Mr. M Sur

Mr. D Paramanick

..... for the State

Heard learned lawyers for the parties.

We have considered the materials on record. Petitioner is in custody for about five years. It is submitted there is delay in trial. No witness has been examined. Co-accused is on bail. Petitioner is entitled to similar relief.

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 CJM, Paschim Bardhaman 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) 2781 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)