

19.07.2023.
31.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2866 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jamuria P. S. Case No.31 of 2016 dated 23.01.2016 under Sections 394/397 of the Indian Penal Code and Sections 25/27 of the Arms Act.

In the matter of : Raja Tiwari @ Raja Tewari.
.... Petitioner.

Ms. Minoti Gomes,
Mr. Kuntal Banerjee.
...for the Petitioner.

Mrs. Anasuya Sinha,
Ms. Subhasree Patel.
...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Petitioner is in custody for more than seven years. There is inordinate delay in trial. Under similar circumstances, co-accused Sujit Kumar Singh has been enlarged on bail. Petitioner stands on the same footing and he is entitled to same relief.

Accordingly, the petitioner viz., Raja Tiwari @ Raja Tewari 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, Asansol, Paschim Bardhaman 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 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 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.)