

19.09.2023
tkm/ct 28
sl no. 32

C.R.M. (DB) 2964 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kasba P.S case no. 172 of 2021 dated 26.6.2021 under sections 120B/ 419/276/420 IPC read with section 58 (1) of the Disaster Management Act
and

Allowed

In Re : Indarjit Shaw ... petitioner

Mr. Sandipan Ganguly, Sr. Adv
Mr. Kunal Ganguly

..... for the petitioner

Mr. N Ahmed
Ms. Trina Mitra

..... for the State

1. Petitioner is in custody for 817 days. It is submitted there is slow progress in the trial. He prays for bail.
2. Learned lawyer for the State submits two witnesses have been examined.
3. We have considered the materials on record. Petitioner is in custody for a considerable period of time. There is very slow progress in the trial. Only two out of 71 witnesses cited in the charge sheet have been examined.
4. Under such circumstances, we are of the opinion further detention of the petitioner would infract fundamental right to speedy trial and he is entitled to bail on this score.
5. 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, South 24 Parganas at Alipore 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.

6. 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.

7. The application being CRM (DB) 2964 of 2023 is disposed of.

(Ajoy Kumar Mukherjee, J.)

(Joymalya Bagchi, J.)