

24.08.2023.
29.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3325 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 and Sections 25/27 of the Arms Act.

In the matter of : Dharmendra Singh.

.... Petitioner.

Mr. Debasis Kar.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Amita Gaur.

...for the State.

1. Petitioner is in custody for more than five years. He submits there is delay in trial. Co-accused have been enlarged on bail. He renews his bail prayer.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. After rejection of bail of the petitioner, co-accused have been enlarged on bail on the ground of delay in trial. Petitioner stands on the same footing with the said co-accused and is entitled to the same relief.
4. Accordingly, the petitioner viz., Dharmendra Singh 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.

5. 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.

6. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)