

30.08.2023
tkm/ct 28
sl no. 37

C.R.M. (DB) 3393 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Nabagram P.S case no. 154 of 2021 dated 21.6.2021 under sections 406/420/467/468/471/472/473/120B IPC and

Allowed

In Re : Santosh Hazra

... petitioner

Mr. S Das Mahapatra
Mr. A A Alamgir
Ms. Soma Mal
Ms. J Modak

..... for the petitioner

Mr. R D Nandy
Ms. Sonali Das

..... for the State

1. Petitioner is in custody for moiré than two years. It is submitted there is no possibility of trial concluding in the near future. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Offences are triable by magistrate. Petitioner has suffered incarceration for a protracted period of time. There is no possibility of trial concluding in the near future.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
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 Murshidabad at Berhampore 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) 3393 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)