

12.09.2023
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allowed

CRM(DB) No. 3540 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Singur Police Station Case No. 36 of 2016 dated 01.02.2016 under Sections 395/397/396 of the Indian Penal Code along with Sections 25/27 of the Arms Act.

And

In Re : Sanjoy Ram @ Suku petitioner

Ms. Jeenia Rudra
Ms. Megha Chanda
.....for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
.... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than seven years. Co-accused are on bail. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits eye-witnesses have named the petitioner.

3. We have considered the materials on record. Bail prayer of the petitioner is pressed not on merits but on the ground of inordinate delay. Though he had suffered incarceration for more than seven years there is little possibility of trial concluding in the near future. Under such circumstances and as the co-accused have been enlarged on bail, we are of the opinion petitioner is entitled to similar relief.

4. Accordingly, we direct that the petitioner 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, Chandernagore, Hooghly on further condition that while on bail petitioner shall remain within the jurisdiction of Chinsurah Police Station until further orders except for the purpose of investigation and/or attending court proceeding and shall report to the Officer-in-Charge of Chinsurah Police Station once in a week until further orders. Petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)