

12.09.2023
tkm/ct 28
sl no. 54

C.R.M. (DB) 3546 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bansdroni P.S case no. 65 of 2019 dated 4.4.2019 under sections 120B/302/34 IPC
and

Allowed

In Re : Najbar Sk ... petitioner

Mr. Robiul Islam
Sk. J Hossain
Mr. Raju Mondal

..... for the petitioner

Mr. N Ahmed
Ms. Ayantika Roy

..... for the State

1. Petitioner is in custody for more than four years. He submits there is delay in trial. Co-accused are on bail. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Co-accused have been enlarged on bail. Petitioner stands on the same footing with the said co-accused.
4. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.
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) 3546 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)