

26.09.2023.
37.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3716 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 21.06.2021 under Sections 420/406/467/468/471/472/473/120B/34 of the Indian Penal Code and adding Section 302 of the Indian Penal Code.

In the matter of : **Nasir Ali**.

.... Petitioner.

Mr. Arnab Chatterjee,
Mr. Anisur Rahaman,
Ms. Poulami Bose.

...for the Petitioner.

Mr. Rudradipta Nandy, ld. A.P.P.,
Mrs. Sonali Das.

...for the State.

1. Petitioner is in custody for two years and two months. It is contended there is no possibility of trial concluding in the near future. Co-accused have been enlarged on bail. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner and co-accused had induced unemployed youth to part with money on the false promise of giving employment.
3. We have considered the materials on record. Allegations are grave but petitioner is in custody for more than two years and there is slow progress in trial. Co-accused are on bail.
4. Hence, we are inclined to extend the same relief to the petitioner also.
5. Accordingly, the petitioner viz., **Nasir Ali** 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 Chief Judicial Magistrate, Murshidabad at Berhampore 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.

6. 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.

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

8. Trial Court is requested to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)