

16.10.2023  
tkm/ct 28  
sl no. 63

**C.R.M. (DB) 4040 of 2023**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Santipur P.S case no. 672 of 2021 dated 4.9.2021 under sections 341/325/308/304/34 IPC  
and

**Allowed**

In Re : Nitai Halder

..... petitioner

Ms. S Bhattacharyya  
Mr. A Bhowmick

..... for the petitioner

Mr. Binay Panda  
Mr. Puspita Saha

..... for the State

1. Petitioner is in custody for two years. It is submitted there is slow progress in trial. He renews his bail prayer.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Offences even if proved, does not attract mandatory life imprisonment. Whether the petitioner intended to murder the victim may be assessed in the light of the attending circumstances during trial. There is no chance of his abscondence. Balancing the nature of accusation with the protracted period of detention suffered by the petitioner we are inclined to grant bail to him.
4. 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 ACJM Ranaghat 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.

5. 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.

6. The application being CRM (DB) 4040 of 2023 is disposed of.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**