

24.11.2023.
28.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4172 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala P.S. Case No.374 of 2019 dated 01.12.2019 under Sections 302/34 of the Indian Penal Code.

In the matter of : **Gourav Biswas @ Baidya Biswas.**
.... Petitioner.

Mr. Khalid Hasan.
...for the Petitioner.

Mr. Abhra Mukherjee,
Mr. Gautam Banerjee.
...for the State.

1. Petitioner is in custody for about four years. He submits there is slow progress in trial. He prays for bail.
2. Learned Advocate for the State submits report. Report shows no witnesses have been examined since 2021. Prosecution proposes to examine 12 witnesses. There is no possibility of trial concluding in the near future.
3. Under such circumstances and in view of inordinate delay in trial, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioners viz., **Gourav Biswas @ Baidya Biswas** 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, Ranaghat, Nadia 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.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)