

01.12.2023.
40.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4300 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jhargram P.S. Case No.136 of 2018 dated 28.08.2018 under Sections 364/302/201/120B/34 of the Indian Penal Code.

In the matter of : **Mithun Khamrai.**

.... Petitioner.

Mr. Rajdeep Majumder,
Mr. Pritam Roy,
Mr. S. Bhattacharjee.

...for the Petitioner.

Mr. Angshuman Chakraborty.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for more than five years. There is inordinate delay in trial. Co-accused have been enlarged on bail on the ground of delay in trial. Petitioner is entitled to similar relief.
3. Hence, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner viz., **Mithun Khamrai** 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, Jhargram 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.)