

30.01.2023.
26.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 4538 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnagar Kotwali P. S. Case No.694 of 2020 dated 18.09.2020 under Sections 304/34 of the Indian Penal Code.

In the matter of : Sadhan Mondal @ Ajan.

.... Petitioner.

Mr. Prabir Majumder,
Mr. S. Majumder.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Arani Bhattacharyya.

...for the State.

Petitioner is in custody for more than two years. Co-accuseds are on bail. He submits there is inordinate delay in trial.

Learned Advocate for the State submits report. From the report it appears charge is yet to be framed.

In view of the aforesaid circumstances, we are of the opinion there is inordinate delay in trial and petitioner is entitled to be enlarged on such score.

Accordingly, the petitioners viz., Sadhan Mondal @ Ajan 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, Nadia at Krishnagar 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.

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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)