

20.12.2023
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allowed

CRM(DB) No. 4650 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hirapur Police Station Case No. 387 of 2017 dated 23.12.2017 under Sections 395/397/412 of the Indian Penal Code.

And

In Re : Sashank Singh @ Sasank @ Shashank Singh Rajput
@ Sonu @Md. Aman. Petitioner

Mr. Saibal Krishna Dasgupta

....for the petitioner

Mr. Nguive Ahmed, learned APP

Mr. Palash Chandra Majhi

.... for the State

1. Learned Counsel for the petitioner submits he is in custody for five years and eleven months. Co-accused have been granted bail on the ground of delay in trial. He prays for bail.

2. Learned Counsel for the State produces the case diary.

3. We have considered the materials on record. There is inordinate delay in trial. Petitioner is in custody for five years and eleven months. Co-accused have been granted bail on the ground of delay in trial. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.

4. Accordingly, we direct that the petitioner 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, Paschim Bardhaman, on further condition that while on bail petitioner shall remain within the district of Paschim Bardhaman except for

the purposes of investigation and /or attending court proceeding and shall provide address where he shall reside to the investigating agency and shall meet the officer-in-charge of the police station within whose jurisdiction he shall presently reside once in a week until further orders. Petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

7. Trial court is directed to expedite the trial and conclude the same with utmost expedition without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)