

15.01.2024
cm/ct 28
sl no. 78

C.R.M. (DB) No.108 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Karimpur P.S Case No. 250 of 2009** dated **13.11.2009** under Sections **396** and added Sections 120B and 412 of the Indian Penal Code and Sections 25/27 of the Arms Act.
And

Allowed

In Re : Sarajit Sarkar @ Bhola & Anr.

..... petitioners

Mr. Asraf Mandal

..... for the petitioners

Mr. Abhra Mukherjee

Mr. Arani Bhattacharyya

..... for the State

1. Petitioners are in custody for more than 14 years. There is inordinate delay in trial of the case.

2. Learned lawyer for the State opposes the prayer for bail.

3. We have considered the materials on record. We note there is inordinate delay in trial. Co-accused has been enlarged on bail. Accordingly, we are inclined to grant the same privilege to the petitioners also.

4. Accordingly, the petitioners be released on bail upon furnishing bonds of Rs.25,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Tehatta, Nadia subject to condition that they 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 and on further condition that the petitioners while on bail shall remain within the district of Nadia except for the purpose of attending court proceeding and report to

the Officer-in-Charge, Murutia Police Station once in a week until further orders. In the event petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

5. Petitioners and co-accused shall co-operate with the Trial Court to conclude the trial within six months from the next date fixed before the Court, in the event they do not do so or seek to delay the proceeding without justifiable cause, the bail prayer of the petitioners may be cancelled.

6. The application being CRM (DB) No. 108 of 2024 is disposed of.

(Parth Sarathi Sen, J.)

(Joymalya Bagchi, J.)