

18.01.2024.
37.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 153 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P.S. Case No.196 of 2021 dated 29.03.2021 under Sections 341/325/326/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and charge sheet submitted under Sections 341/325/326/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

In the matter of : **Bharat Mahato @ Kala.**

.... Petitioner.

Ms. Minot Gomes.

...for the Petitioner.

Mr. Joydee Biswas.

...for the State.

1. Petitioner is in custody for more than a year. He submits there is delay in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. We have also gone through the injury report.
4. Keeping in mind the facts and circumstances of the case and the period of detention suffered by the petitioner and as trial has not commenced, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Bharat Mahato @ Kala** 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, Ranaght, 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.

6. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)