

13.02.2024
tkm/ct 28
sl no. 58

C.R.M. (DB) 441 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranaghat PS case no. 69 of 2023 dated 12.2.2023 under sections 304/34 IPC

and

Allowed

In Re : Pradip Ghosh

..... petitioner

Mr. A A Alamgir
Ms. Rabia Khatoon
Ms. Soma Mal
Ms. J Modak
Ms. J Rana

..... for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Goutam Wilson

..... for the State

1. Petitioner is in custody for more than a year. He contends he did not have intention to murder the victim. There is delay in trial. He prays for bail.
2. Learned lawyer for the State contends petitioner had assaulted the victim.
3. We have considered the materials on record. Petitioner has been charged with the offence under section 304 IPC. He did not have intention to murder the victim. Though he is in custody for a protracted period of time there is slow progress in trial. Offence even if proved, would not attract mandatory life imprisonment. There is no chance of abscondence.
4. Under such circumstances we are inclined to grant bail to the petitioner.
5. Accordingly, petitioner 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

ACJM, Ranaghat Nadia on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
7. The application being CRM (DB) 441 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)