

13.02.2024
tkm/ct 28
sl no. 71

C.R.M. (DB) 460 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhadreswar PS case no. 430 of 2015 dated 18.12.2015 under sections 302/201/34 IPC
and

Allowed

In Re : Sujit Malik

..... petitioner

Mr. Bitasok Banerjee
Mr. A Salam

..... for the petitioner

Mr. R D Nandy
Mr. Ratna Ghosh

..... for the State

1. Petitioner is in custody for more than eight years. He contends there is inordinate delay in trial. He prays for bail.
2. Learned lawyer for the State contends petitioner stands on different footing from co-accused Tumpa Malik.
3. We have considered the materials on record. Tumpa was enlarged on bail on the ground of inordinate delay in trial. This circumstance applies with equal force to the petitioner irrespective of his extent of complicity in the crime.
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, Chandannagore Hooghly 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) 460 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)