

28.03.2024
Sl. No.21
akd
[ALLOWED]

C. R. M. (DB) 933 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.03.2024 in connection with Bhadreswar Police Station Case No.430 of 2015 dated 18.12.2015 under Sections 302/201/34 of the Indian Penal Code. (G.R. Case No.1720 of 2015)

And

In Re: **Sanat Malik**

... .. Petitioner

Mr. Bitasok Banerjee
Mr. Abdus Salam

... .. for the petitioner

Mr. Anand Kesari
Ms. Jonaki Saha

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than eight years. It is further submitted there is inordinate delay in trial. Co-accused have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Petitioner is in custody for more than eight years. Co-accused have been enlarged on bail. Petitioner stands on the same footing with the said co-accused. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.
4. Therefore, the accused/petitioner, namely **Sanat Malik**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chandannagore, Hooghly subject to condition that the said petitioner 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.

5. 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.
6. The application for bail, thus, stands allowed.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)