

03.5.2024
Ct. No. 28
SL No. 34
SB

C.R.M. (DB) 1401 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta P.S. Case No. 139 of 2021 dated 24.03.2021 under Sections 364A of the Indian Penal Code adding Sections 302/120B/212/34 of the Indian Penal Code.

And

In the matter of: Suman Biswas @ Ajoy

Mr. Asraf Mondal

Mr. Bani Israil

...for the Petitioner

Mr. Subhamoy Bhattacharyya

Mr. Kaustav Banerjee

....for the State

1. Heard the lawyers for the parties.
2. We have considered the materials on record. Petitioner is in custody for more than three years. There is inordinate delay in trial. One co-accused Jharna Halder has been enlarged on bail on the ground of delay in trial. Petitioner is entitled to get similar relief.
3. Accordingly, the petitioner 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 Judge, A.C.J.M. Tehatta, Nadia subject to the condition that the 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.
4. In the event if he fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail automatically without any further reference to this Court.
5. The application for bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)