

23.
26-06-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 1527 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ekbalpore Police Station Case No.175 of 2014 dated 31-03-2014 under Sections 302/201/34/394/120B of the Indian Penal Code.

- A n d -

In the matter of : Md. Amin

.... Petitioner.

Mr. Sandip Kr. Bhattacharjee,
Mr. Dipta Dipak Banerjee

... For the Petitioner.

Ms. Anasuya Sinha, learned A.P.P.,
Ms. Mamata Jana

... For the State.

The petitioner says that he is in custody for more than ten years two months. 14 out of 70 witnesses have only been examined. The principal accused person has been granted bail by this Court by a coordinate Bench by an order dated January 09, 2024 passed in CRM (DB) 4754 of 2023.

Learned advocate, representing the State, says that examination of PW 15 had started, but PW 15 passed away in the course of such examination. She in her usual fairness does not dispute that this petitioner stands on the same footing or may be better footing than the principal accused, who has been enlarged on bail.

In view of the aforesaid and in view of the very long detention of the petitioner and there being no likelihood of an early conclusion of the trial, we are inclined to enlarge the petitioner on bail.

Accordingly, we direct that the petitioner, namely, **Md. Amin**, shall be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Alipore. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge of the said police station every week until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 1527 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)