

10.
14-08-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 1893 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Burrabazar Police Station Case No.130 of 2022 dated 07-06-2022 under Sections 419/467/468/471/120B/365/395/412/34 of the Indian Penal Code.

- A n d -

In the matter of : Faruk Alam

.... Petitioner.

Mr. Santanu Talukdar,
Mr. Indranil Ray Choudhury,
Mr. Priyankar Ganguly

... For the Petitioner.

Mr. Rudradipta Nandy, learned APP,
Mr. Rahul Ganguly

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner renews his prayer for bail which was rejected earlier on April 03, 2023. He says that there has been no recovery from him. Other co-accused persons have been granted bail and he stands on the same footing with them. There is inordinate delay in the progress of the trial.

We find that the petitioner is in custody for more than two years. Examination of the first prosecution witness is going on. There are 40 witnesses named in the charge sheet.

Learned advocate for the State opposes the prayer for bail.

However, we find that this petitioner is similarly circumstanced as other accused persons who have been released on bail. Also keeping in mind that there is inordinate delay in progress of the trial, we are inclined to allow the prayer of the petitioner for bail.

Accordingly, we direct that the petitioner, namely, **Faruk Alam**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two registered sureties of like amount each, to the satisfaction of learned Chief Metropolitan Magistrate, Calcutta. The petitioner shall appear before the trial Court on every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure 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 once in every fortnight 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) 1893 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.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)