

31.7.2024
Ct. No. 6
SL No. 38
S.De/
Tanmoy

C.R.M. (DB) 1904 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Para** P.S. Case No. 52 of **2023** dated **21.06.2023** under Sections 341/325/326/302/34 of the Indian Penal Code.

And

In the matter of: Hasim Khan.

Mr. Tapan Dutta Gupta

Mr. Parvej Anam ...for the Petitioner

Ms. Faria Hossain

Ms. Puspita Sahafor the State

1. Petitioner contends he is in custody for about a year. There is no progress in trial.
2. State submits report. From the report it appears only one witness has been examined in part.
3. We have considered the materials on record. Incident occurred in course of a quarrel between neighbours. Petitioner dealt a single blow on the head of the victim. Whether he intended to commit murder requires to be assessed during trial. In light of these attending circumstances and the fact that trial is progressing at a slow pace and there is no likelihood of the same coming to an end in the near future, we are inclined to enlarge the petitioner on bail.
4. Accordingly, we direct 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 Additional Chief Judicial Magistrate, Raghunathpur at Purulia subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.
6. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)