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21-08-2024
(ct. no.28)
KOLE
Allowed

CRM (DB) 1974 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Uttarpara Police Station** Case No. **372 of 2022** dated **12.10.2022** under Sections **341/323/325/307/302/34** of the Indian Penal Code.

- A n d -

In the matter of : Bhaskar Roy @ Vaskar Roy

.... Petitioner.

Mr. Sekhar Kumar Basu, Sr. Adv.,
Mr. Abhijit Ganguly,

... For the Petitioner.

Mr. Debasish Roy
Mr. Arijit Ganguly,
Mr. Koushik Kundu,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner renews his prayer for bail which was rejected twice earlier. This time, the petitioner prays for bail on the ground of delay in progress of the trial. He is in custody for 647 days as of date. Only 4 out of 35 witnesses have been examined.

2. While opposing the prayer for bail, learned Public Prosecutor draws our attention to the material in the case diary.

3. We refrain from making any comment on the merits of the case. Only on the ground of delay in progress of trial and there being no possibility of early conclusion of the trial and keeping in mind the lengthy period of detention of the petitioner and the paramount importance of a citizen's fundamental right to personal liberty and speedy trial, we extend the privilege of bail to the petitioner.

4. Accordingly, we direct that the petitioner, namely, **Bhaskar Roy @ Vaskar Roy**, 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, Serampore, Hooghly and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. 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.

5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

6. The application for bail is, accordingly, allowed.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)