

26.
26-07-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 2018 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jagacha Police Station Case No.275 of 2019 dated 23-12-2019 under Section 302 of the Indian Penal Code.

- A n d -

**In the matter of : Surajit Karmakar @ Surojit Karmakar @
Bulti @ Sukumar**

.... Petitioner.

Mr. Soumya Basu Roy Chowdhuri

... For the Petitioner.

Ms. Faria Hossain,
Ms. Mousumi Sarkar

... For the State.

Dictated by Arijit Banerjee, J.

Report filed by the State be kept with the records.

The petitioner renews his prayer for bail solely on the ground of inordinate delay in trial. He says that charge was framed on June 06, 2022. Only 1 out of 13 charge sheet named witnesses has been examined. Since January 05, 2023, there has been no examination of witness.

Learned advocate for the State, by referring to the report which has been filed today, in her usual fairness, says that the prosecution witness could not be made available for examination for a long period of time. However, all efforts will be made to expedite the trial.

Keeping in view the paramount importance of a citizen's fundamental right to speedy trial and personal liberty, as contemplated in Article 21 of the Constitution of

India, solely on the ground of delay in the progress of trial, we are inclined to enlarge the petitioner on bail.

Accordingly, we direct that the petitioner, namely, **Surajit Karmakar @ Surojit Karmakar @ Bulti @ Sukumar**, 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, Howrah. The petitioner shall appear before the learned 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 report to the Officer-in-Charge of the concerned police station once in 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) 2018 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.)