

30.
22-07-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 2175 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No.303 of 2020 dated 24-07-2020 under Sections 363/376(2)(1) of the Indian Penal Code.

- A n d -

In the matter of : Panchu Das

.... Petitioner.

Mr. Asraf Mondal,
Mr. Md. Bani Israil

... For the Petitioner.

Mr. Avishek Sinha,
Ms. Eshita Dutta

... For the State.

Dictated by Partha Sarathi Sen, J.

Affidavit-of-Service filed in Court today be kept with the records.

It is submitted that considering the fact that the present accused petitioner is languishing in judicial custody for the last four years and there is inordinate delay in the progress of the trial, the instant application for bail may be considered favourably.

Learned advocate for the State opposes the prayer for bail.

On perusal of the evidence of the victim which is enclosed with the instant bail application, we find *prima facie* contradiction. Admittedly, out of 14 charge sheeted witnesses, only five witnesses have been examined so far. In view of such and also considering the long period of incarceration of the petitioner, we are inclined to allow the prayer of the petitioner for bail.

Accordingly, we direct that the petitioner, namely, **Panchu Das**, 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 Judicial Magistrate, Nadia. 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) 2175 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.)