

05.08.2024
Sl. No.51
akd
[ALLOWED]

C. R. M. (DB) 2279 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 15.07.2024 in connection with Entally Police Station Case No.314 of 2022 dated 12.10.2022 under Sections 307/34 of the Indian Penal Code read with Sections 25(1B)(a)/27 of the Arms Act.

And

In Re: ***Sanjib Poddar @ Vole Baba***

... .. Petitioner

Mr. Sujoy Sarkar
Mr. Indranil Roy Chowdhury
Mr. Priyankar Ganguly

... .. for the petitioner

Mr. Anindya Sundar Chatterjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about one year and ten months. It is further submitted victim has not been identified in court. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Vulnerable witness has already been examined. Petitioner is in custody for a considerable period of time. There is no possibility of trial concluding in the near future. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Sanjib Poddar @ Vole Baba***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Sealdah, South 24-Parganas subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not

intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)