

01
07-10-2024
(ct. no.28)
KOLE
Allowed

CRM (DB) 2844 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Posta Police Station Case No. 125 of 2014** dated **03.04.2014** under Sections **399/402** of the Indian Penal Code and Sections 25(1B)/(a)/27 of the Arms Act.

- A n d -

In the matter of : Rinku Paswan

.... Petitioner.

Mr. Satadru Lahiri,

.... For the petitioner.

Mrs. Amita Gour,
Mr. Parvej Anam,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner is in custody for ten years six months. Only 5 out of 23 charge sheet named witnesses have been examined. The petitioner is justifiably aggrieved and prays for bail.
2. Learned State Advocate, in her usual fairness, leaves the matter to the discretion of the Court.
3. In view of the huge and unexplained delay in progress of trial, we have to enlarge the petitioner on bail.
4. Accordingly, we direct that the petitioner, namely, **Rinku Paswan**, 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 District and Sessions Judge, 1st Fast Track Court, Bichar Bhawan, Calcutta subject to condition that he shall appear before the trial court on each and every date of hearing until further orders and shall not

intimidate witnesses 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.)