

11.11.2024
Sl. No.57
akd
[ALLOWED]

C. R. M. (DB) 2859 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 30.07.2024 in connection with Kalna Police Station Case No.695 of 2021 dated 09.09.2021 under Sections 498A/302/201/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

And

In Re: **Sahidul Sk.**

... .. Petitioner

Mr. Imtiaz Ahmed
Mrs. Ghazala Firdous
Mr. Mofakkerul Islam
Sk. Saidullah
Mr. Debopam Roy
Mr. Mithun Mondal
Md. Arsalan

... .. for the petitioner

Mr. Debasis Roy .. Id. Public Prosecutor

... .. for the State

1. It is submitted on behalf of the petitioner he is in custody for about three years and two months. It is further submitted there is inordinate delay in trial. Accordingly, he renews his prayer for bail.
2. Learned Public Prosecutor opposes the prayer for bail and submits charge has been framed. Date has been fixed for recording evidence.
3. We have considered the materials on record. Allegation against the petitioner is grave. But he is in custody for a considerable period of time. In spite of repeated directions given by this court earlier, recording of evidence has not commenced. There is no chance of abscondence. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Sahidul Sk.**, 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 Sessions Judge, Fast Track Court, Kalna, Purba Bardhaman 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)