

CRM (DB) 3007 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 **Taherpur Police Station** Case No. **102 of 2021** dated **12.05.2021** under Sections **302/120B** of the Indian Penal Code.

- A n d -

In the matter of : Bhajan Mitra

.... Petitioner.

Mrs. Minoti Gomes,
Mrs. Shanta Sarkar,
Mrs. M. Sinha,

... For the Petitioner.

Mr. Ranabir Roychowdhury,
Ms. Sujata Das,

... For the State.

Order dictated by Partha Sarathi Sen, J.:

1. In course of hearing, learned Advocate for the petitioner submits before this court that considering the long incarceration of the present petitioner, the application for bail may be considered favourably.
2. While opposing the prayer for bail, leaned State Advocate has filed a report dated 06.12.2024 as submitted by Officer-in-Charge, Taherpur Police Station. Let the same be kept with the records.
3. On perusal of the report it reveals that charge has been framed on 22.09.2022 and till now 14 more witnesses are yet to be examined. From the materials as placed before this court it reveals that the case is based on circumstantial evidence.
4. Considering the slow progress of the trial and also considering the long incarceration of the present petitioner, we are inclined to enlarge the petitioner on bail.

5. Accordingly, we direct that the petitioner, namely, **Bhajan Mitra**, 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 Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that he 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 and on further condition that the petitioner while on bail shall not leave the jurisdiction of the learned Trial Court without prior permission and shall remain within the jurisdiction of concerned Police Station and shall meet the officer-in-charge of the concerned police station once in a fortnight until further orders.

6. 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.

7. The application for bail is, accordingly, allowed.

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Partha Sarathi Sen, J.)**

(**Arijit Banerjee, J.)**