

13.11.2024

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Allowed

CRM (DB) No. 3033 of 2024

In Re:- An application for bail under Section 483 of the BNSS in connection with Jorasanka Police Station Case No. 70 dated 18.04.2023 under Section 307 of the Indian Penal Code.

And

In Re : Md. Islam Solanki @ Islam Solanki petitioner

Mr. Sandipan Ganguly, Sr. Adv.
Mr. Karan Dudhwewala
.....for the petitioner

Mr. Saryati Dutta
Ms. Atulya Sinha
....for the State

Mr. Tarique Quasimuddin
Mr. Ram Narain Rajak
.... for de facto complainant

1. Learned Counsel for the petitioner submits he is in custody for one year and seven months. There is delay in trial. He renews his bail prayer.

2. Learned Counsel for the State and de facto complainant oppose the bail prayer.

3. We have considered the materials on record. Petitioner is in custody for a considerable period. Trial is in progress. Most of the vital witnesses have been examined. Under such circumstances, we are inclined to grant bail to the petitioner subject to strict conditions.

4. Accordingly, we direct that the petitioner 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-1, Calcutta, on further conditions that while on bail petitioner shall not enter the Municipal limits of Kolkata until further orders except for the purpose of attending court proceeding and shall provide address to the investigating agency and shall report to the Officer-in-Charge of the concerned Police Station once in a week until further orders. Petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

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

7. Petitioner shall co-operate with trial and shall not ask for necessary adjournment and trial shall be expedited and concluded at an early date.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

