

13.09.2024  
Ct. No. 6  
SL No. 48  
S.De

C.R.M. (DB) 3034 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 in connection with **Entally P.S. 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 the matter of: **Tapash Naskar @ Tapas**

Mr. Prasum Mukherjee  
Mr. Indranil Roychoudhury  
Mr. Priyankar Gangully, ...for the Petitioner.

Mr. Partha Pratim Das,  
Mr. Arup Sarkar, ....for the State.

1. Petitioner is in custody for more than 1 year 10 months. There is slow progress in trial. He prays for bail.
2. Learned lawyer for the State submits petitioner is the principal assailant who fired victim.
3. We have considered materials on record. Vulnerable witness that is the victim has already been examined. Petitioner is in custody for a considerable period of time. There is very little change of early conclusion of trial.
4. In such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct the petitioner viz. **Tapash Naskar @ Tapas** 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, Sealdah subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the

petitioner shall not enter the Entally Police Station except for attending court proceedings and shall also furnish the address where he will be residing to the Officer-in-Charge in whose jurisdiction he will be residing and shall also report before such Officer-in-Charge once in a week until further orders.

6. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.

7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)