

58.
03-12-2024
(ct. no.29)
debajyoti
(allowed)

CRM (DB) 3102 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chandrakona Police Station Case No.10 of 2022 dated 17-01-2022 under Sections 302/380/411 of the Indian Penal Code.

- A n d -

In the matter of : Goutam Shee

.... Petitioner.

Ms. Sonali Das

... For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Habib Hassan

... For the State.

Dictated by Arijit Banerjee, J.

1. Report filed by the State be kept with the records.
2. It appears that only 4 out of 19 charge sheet named witnesses have been examined. The petitioner is in custody for more than 3 years. The case is based on circumstantial evidence and there is no eyewitness.
3. Keeping in mind the importance of the fundamental right of a person to speedy trial and personal liberty and seeing that early conclusion of the trial is practically impossible, without touching the merits of the case, solely on the touchstone of Article 21 of the Constitution of India, we feel constrained to enlarge the petitioner on bail.
4. Accordingly, we direct that the petitioner, namely, **Goutam Shee**, shall be released on bail upon furnishing a

bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Ghatal, Paschim Medinipur. The petitioner shall appear before the learned 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. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge/Inspector-in-Charge of the said police station once in a week, until further orders.

5. In the event the petitioner fails to comply with any of the conditions stipulated above without any justifiable cause, the learned trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

6. The application for bail is, thus, **allowed**.

7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)