

06.11.2024  
Sl. No.95  
**SG**  
[ALLOWED]

**C. R. M. (DB) 3342 of 2024**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.09.2024 in connection with Domkal Police Station Case No. 403 of 2018 dated 22.06.2018 under Sections 302/34 of the Indian Penal Code, 1860.

And

In Re: **Aminul Sk**

... ... Petitioner

Mr. Soumya Basu Roy Chowdhuri  
... ... for the petitioner

Ms. Amita Gaur,  
Ms. Purnima Ghosh  
... ... for the State

1. Petitioner is in custody for over six years. There is inordinate delay in trial. Co-accused has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner stands on the same footing with the co-accused.
4. Under such circumstances, we are inclined to grant bail to the petitioner also.
5. Therefore, the accused/petitioner, namely **Aminul 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 Chief Judicial Magistrate, Berhampore, Murshidabad 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.

6. 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.
7. The application for bail, thus, stands allowed.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**