

13.11.2024
tkm/ct 28
sl no. 60

C.R.M. (DB) 3363 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with Baruipur P.S case no. 2047 of 2017 dated 21.7.2017 under sections 363/365/364/302/201/120B IPC

And

Allowed

In Re : Meghnath Mirdha

... petitioner

Mr. U S Chattopadhyay
Ms. Trisha Rakshit
Mr. R Tah
Ms. Bidisha Chakraborty
Ms. A Datta

..... for the petitioner

Mr. Bitasok Banerjee
Mr. Arabinda Manna

..... for the State

1. Petitioner is in custody for more than seven years. There is inordinate delay in trial. He prays for bail.
2. Learned lawyer for the State submits report. He contends 20 out of 24 witnesses have been examined. Next schedule is fixed on 11th December 2024.
3. We have considered the materials on record. Allegations are grave and if proved would attract mandatory life imprisonment. However, petitioner is in custody for more than seven years. Trial has not concluded. Further detention of the petitioner would infract his fundamental right to speedy trial and he is entitled to bail on such score.
4. Accordingly, the petitioner 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 ACJM Baruipur South 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with

evidence in any manner whatsoever and on further condition that the petitioner while on bail shall remain within the jurisdiction of Sundarvan Coastal P.S except for attending cur proceeding and report to officer-in-charge Sundarvan Coastal P.S once in a week until further orders.

5. 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.

6. Trial court is requested to conclude the trial at an early date.

7. The application being CRM (DB) 3363 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)