

06.11.2024.
101.
Ct.No.28.
as/sdas
(Allowed)

C.R.M. (DB) 3367 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 Baishnabnagar P.S. Case No.134 of 2023 dated 01.03.2023 under Sections 376D/302/201/34/120B of the Indian Penal Code.

In the matter of : **Sudip Sarkar**.

.... Petitioner.

Mr. Narattam Acharyya.

...for the Petitioner.

Mr. Avishek Sinha,
Ms. Ankita Pal.

...for the State.

1. Affidavit of service filed in Court today be kept on record.
2. Heard the learned Advocates for the parties.
3. We have considered the materials on record. Petitioner is in custody for 587 days. There is delay in trial. Under similar circumstances co-accused have been granted bail.
4. In view of the aforesaid circumstances, we are inclined to extend similar relief to the petitioner.
5. Accordingly, the petitioner viz., **Sudip Sarkar** 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 District and Sessions Judge, 1st Court, Malda subject to condition that he shall not leave the jurisdiction of the concerned Police Station and shall report to the Officer-in-charge of the concerned police station once in a fortnight until further orders. 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)