

06.11.2024  
Sl. No.120  
**S. Das**  
[ALLOWED]

**C.R M. (DB) 3543 of 2024**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27<sup>th</sup> September, 2024 in connection with Entally Police Station Case No. 314 of 2022 dated 12-10-2022 under Sections 307/34 of the Indian Penal Code read with Ss. 25(1B)(a)/27 of the Arms Act.

And

In Re: Baburam Koyal @ Babai & Anr.

... ... Petitioners

Mr. Santanu Talukdar

Mr. Indranil Roy Chowdhury

... ... for the petitioners.

Mr. Prasun Kumar Dutta

Mr. Asraf Mandal

... ... for the State.

1. Petitioners are in custody for more than two years. They pray for bail on the ground of delay in trial.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Vulnerable witnesses have already been examined. Co-accused are on bail. There is no chance of trial concluding trial in the near future.
4. Under such circumstances, the accused/petitioners, namely Baburam Koyal @ Babai & Banty Patra be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Sealdah, South 24 Parganas subject to condition that the said petitioners 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.

5. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**