

06.11.2024
Sl. No.116
S. Das
[ALLOWED]

C.R M. (DB) 3510 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 1st October, 2024 in connection with Kalyani Police Station Case No.125 of 2022 dated 31-03-2022 under Sections 326/307/34 of the Indian Penal Code.

And

In Re: Prakash Mondal

... ... Petitioner

Mr. Sumanta Das

... ... for the petitioner

Mr. Atif Ahmed Siddiqui

... ... for the State

1. Petitioner is in custody for more than two years. There is inordinate delay in trial.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Bail prayer of the petitioner was rejected in July, 2023. While rejecting the bail, this Court directed the trial to be concluded preferably within one year. Trial has not been concluded as yet.
4. Under such circumstances, the accused/petitioner, namely Prakash Mondal 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 Additional Chief Judicial Magistrate, Kalyani, Nadia 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.

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. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)