

08.11.2024
tkm/ct 28
sl no. 78

C.R.M. (DB) 3571 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with Shantipur P.S case no. 58 of 2015 dated 28.2.2015 under section 302/201/120B IPC
And

Allowed In Re : Nayan Sarkar @ Mandal ... petitioner

Mr. S Das
Mr. Avilash Tripathi
..... for the petitioner
Ms. Sukanya Bhattacharya
Md. Yaser A Ismail
..... for the State

1. Petitioner is in custody for more than nine years. There is inordinate delay in trial. He prays for bail on the ground of delay.
2. Learned lawyer for the State submits trial has substantially progressed. Only one prosecution witness is yet to be examined.
3. We have considered the materials on record. All vulnerable witnesses have been examined. Petitioner is in custody for a considerable period.
4. Under such circumstances we are of the opinion petitioner has made out a case for inordinate delay in trial which entitles them to bail.
5. 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 Ranaghat Nadia 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 Shantipur P.S and

report to the Officer-in-Charge Shantipur P.S once in a week until further orders.

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 being CRM (DB) 3571 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)