

15.01.2024
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allowed

CRM(DB) No. 4326 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Duttapukur Police Station Case No. 135 of 2021 dated 03.03.2021 under Sections 302/34 of the Indian Penal Code.

And

In Re : Panchu Gopal Dey Petitioner

Mr. Angshuman Chakraborty

Mr. S. S. Saha

....for the petitioner

Ms. Zareen N. Khan

Md. Kutubuddin

.... for the State

1. Report filed on behalf of the State be kept on record.
2. Learned Counsel for the petitioner submits he is in custody for two years and five months. It is also submitted there is slow progress in the matter since rejection of bail by this Court. He prays for bail.
3. Learned Counsel for the State opposes the bail prayer and submits petitioner was present at the place of occurrence and participated in the trial.
4. We have considered the materials on record. Allegations against the petitioner are general and omnibus. Whether he intended to murder the victim is unclear. There is slow progress in the matter since rejection of bail by this Court. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct that the petitioner 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 Chief Judicial Magistrate, North 24-Parganas, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. The application for bail is, accordingly, allowed.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)