

22.11.2024
Ct. No. 28
ADSL No. 15
SB/SG

CRM (DB) 3846 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with Bowbazar P.S. Case No. 191 **of 2020** dated 19.5.2020 under Sections 302/34 of Indian Penal Code.

And

In the matter of: Gopal Maity

Mr. Joy Chakraborty

Mr. Sandip Dinda

... for the petitioner

Mr. Arup Sarkar

...for the State

1. Petitioner contends he is in custody for about four years and five months. Co-accused Sk. Chand @ Chand has been enlarged on bail on the ground of delay. There is little possibility of trial concluding in the near future. There is no chance of abscondence.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. On the score of delay co-accused has been enlarged on bail. Petitioner is also in custody for a considerable period. There is no chance of abscondence. Accordingly, we are inclined to grant bail to the petitioner.
4. Accordingly, we direct the petitioner namely, Gopal Maity, 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, 2nd F.T.C. Bichar Bhawan, Calcutta subject to condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
5. In the event, petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail prayer in accordance with law without further reference to this Court.
6. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)