

11.12.2024
Ct. No. 28
SL No. 19
CP

C.R.M. (DB) No. 3980 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of B.N.S.S., 2023 in connection with **Sankrail** P.S. Case No. **697 of 2021** dated **11.06.2021** under Sections 302/34 of the Indian Penal Code.

And

In the matter of: Biswajit Sar @ Baneswar

Mr. Soumya Basu Roy Chowdhuri

...for the Petitioner

Mr. Joydeep Roy

Mr. Aritra Bhattacharya

....for the State

1. Petitioner is in custody for 3 years and 4 months. Petitioner contends there is inordinate delay in trial. Co-accused has been enlarged on bail. He prays for similar relief.
2. Learned counsel for the State opposes the bail prayer.
3. Considering the materials on record and in view of the submissions made, we are inclined to grant bail to the petitioner.
4. Accordingly, we direct the petitioner namely, **Biswajit Sar @ Baneswar**, 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 Sessions Judge, Fast Track, 1st Court, Howrah, 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 without any further reference to this Court.

6. The application for bail is, thus, allowed and disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)