

04.01.2024.
30.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4834 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dankuni P.S. Case No.492 of 2015 dated 06.12.2015 under Sections 395/397/412 of the Indian Penal Code and charge sheet submitted under Sections 395/397/412 of the Indian Penal Code.

In the matter of : **Abhijit Roy @ Bapan.**

.... Petitioner.

Mrs. Jeenia Rudra.

...for the Petitioner.

Mrs. Anasuya Sinha,
Mrs. Purnima Ghosh.

...for the State.

1. Petitioner is in custody for seven years. There is inordinate delay in trial. Accordingly, he prays for bail.
2. Learned Advocate for State opposes the bail prayer. He submits trial is in progress.
3. We have considered the materials on record. Though nine witnesses have already been examined, other witnesses did not appear and witness warrants have been issued. This shows delay in trial is not attributable to the defence.
4. Under such circumstances and in view of period of detention already suffered by the petitioner, we are inclined to grant bail to petitioner.
5. Accordingly, the petitioner viz., **Abhijit Roy @ Bapan** 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 Chief Judicial Magistrate, Serampore, Hooghly

subject to condition that he 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.

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

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)