

15.01.2024.
53.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4825 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanditala P.S. Case No.196 of 2017 dated 04.05.2017 under Section 306 of the Indian Penal Code and charge sheet submitted under Section 306 of the Indian Penal Code and supplementary charge sheet submitted under Section 306 of the Indian Penal Code.

In the matter of : **Ranjan Pandit.**

.... Petitioner.

Mrs. Jeenia Rudra.

...for the Petitioner.

Mr. S. S. Ima, Id. Jr Govt. Adv.,
Mr. R. Jana.

...for the State.

1. Petitioner is in custody for six years and seven months. It is contended there is slow progress in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner had sexually abused one of the victims. As a result, the victim and her family members committed suicide.
3. We have considered the materials on record. Charge was framed in 2018. Number of dates were fixed but the witnesses did not turn up. Petitioner has suffered incarceration for more than six years. Offence even if proved, would not attract mandatory life imprisonment.
4. Under such circumstances, we are inclined to grant bail to the petitioner on the ground of inordinate delay in trial.

5. Accordingly, the petitioner viz., **Ranjan Pandit** 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.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)