

05.12.2024
SL No.06
s.biswas
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

C.R.M. (DB) 675 of 2024

In Re: - An application for bail under Section 483 of the BNSS corresponding to Section 439 of the Cr.P.C. in connection with **Sahebganj** P.S. Case No. **271/2024** dated **05.05.2024** under Sections **498(A)/304B** of the IPC and Sections **3 & 4** Dowry Prohibition Act.

And

In the matter of: **Tapas Barman**

....Petitioner

Mr. Sudip Guha

...for the Petitioner

Mr. Saikat Chatterjee

Mr. Chattu Roy

...for the State

1. The petitioner prays for grant of bail on the ground of prolonged detention. He has been in custody for more than seven months. There is hardly any chance of early conclusion of trial. Charge-sheet was submitted on July 31, 2024. Since then, there is no progress in the trial. Sixteen witnesses have been cited.
2. Learned counsel appearing on behalf of the state produces the case diary and opposes the prayer for bail.
3. We have gone through the materials in the case diary. Considering the period of detention of the petitioner and the nature of allegation as also in view of the delay in the trial, we are inclined to grant bail to the petitioner.

4. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of equal amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Dinhata, subject to the condition that the petitioner shall appear before the learned trial court on each and every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offence in future. The petitioner shall not leave the jurisdiction of the trial court until further orders.
5. In the event the petitioner fails to comply with the conditions as stated hereinbefore, it is open to the trial court to cancel the bail of the petitioner without any further reference to this Court.
6. The application for bail is, thus, allowed.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)