

18.03.2025
Item no.35.
Court No.29.
S. De
(Allowed)

CRM (DB) No. 276 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Haroa Police Station Case No. 146 of 2022** dated **11.05.2022** under **Section 498A/304B/302/201/406/34** of the Indian Penal Code read with **Section 4** of the Dowry Prohibition Act, 1961.

And

In the matter of : Rabin Mondal. ...Petitioner.
Mr. Soumya Banerjee,
Ms. Sucheta Banerjee,for the Petitioner.

Mr. Iqbal Kabir
Ms. Sana Naaz,for the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State be kept with the records.
2. From the report we find that the prosecution intends to examine 9 more witnesses. However, the alarming thing is that the Trial Court is lying vacant since June 2024. Therefore, we do not see any real possibility of the trial concluding on an early date.
3. The petitioner is already in custody for 2 years and 10 months. He is 56 years old. Without touching the merits of the case and solely on the ground of long detention and delay in progress of trial, we are inclined to allow his prayer for bail.
4. Accordingly, we direct that the petitioner, namely, **Rabin Mondal** 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 (in charge), Basirhat, North 24-Parganas subject to the conditions that the petitioner shall

remain within the jurisdiction of the concerned police station and shall meet the Inspector-in-Charge of the concerned police station once in a fortnight, until further orders.

5. The petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)