

16.
26-03-2025
(ct. no.29)
debajyoti
(allowed)

CRM (DB) 1007 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Uluberia Police Station Case No.133 of 2020 dated 30-05-2020 under Sections 447/326/302/354/34 of the Indian Penal Code.

- A n d -

In the matter of : Ranjit Mondal @ Ranjit Mandol

.... Petitioner.

Mr. Soumya Basu Roy Chowdhury

... For the Petitioner.

Mr. Saibal Bapuli, learned APP,
Mr. Raju Mondal

... For the State.

Dictated by Arijit Banerjee, J.

1. The petitioner complains that he is in custody for four years nine months. Only 1 out of 26 charge sheet named witness has been examined till date. After his bail prayer was rejected on July 03, 2024, there has been no progress at all. On the touchstone of Article 21 of the Constitution of India, the petitioner prays for bail.

2. Learned Additional Public Prosecutor, while opposing the prayer for bail, draws our attention to statements of witnesses recorded under Sections 161/164 of the Code of Criminal Procedure. He says that there is sufficient incriminating material against the petitioner to secure his conviction.

3. We find from the records that prima facie it does not appear that the petitioner can be blamed for the delay in

progress of the trial. We have said on many occasions that however strong the prosecution case may be, an accused undertrial cannot be detained in custody for an indefinite or unreasonably long period of time.

4. We do not see the possibility of early conclusion of this trial since there are 26 charge sheet named witnesses. Hence, without touching the merits of the case and solely on the ground of delay in trial, we are constrained to allow the petitioner's prayer for bail.

5. Accordingly, we direct that the petitioner, namely, **Ranjit Mondal @ Ranjit Mandol**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Uluberia, Howrah. The petitioner shall appear before the learned 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 and shall not commit any cognizable offence in any manner whatsoever. The petitioner shall not enter the jurisdiction of Uluberia Police Station except for the purpose of attending the court proceedings and shall appear before the Officer-in-Charge/Inspector-in-Charge under whose jurisdiction he shall be residing while on bail, once in a week, until further orders. The petitioner shall, through his learned advocate, inform the learned trial Court, Uluberia Police Station and the jurisdictional police station where he shall be residing while on bail, his current local address.

6. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at

liberty to cancel the bail in accordance with law without further reference to this Court.

7. The application for bail is, thus, **allowed**.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)