

19
11.06.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 416 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Banshihari P.S. Case No. 102 of 2019 dated 11.07.2019 under Section 302 of the Indian Penal Code.

And

In Re : **Sandeep Lakra** ... Petitioner.

Mr. Mazhar Hossain Chowdhury
Ms. Chandrima Debnath
Ms. S. Sultana ... for the Petitioner.

Mr. Antarikhya Basu
Ms. Rajnandini Das ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than 5 years and prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. Bail prayer of the petitioner was turned down considering the material on record on earlier occasions.

It is a fact that that the petitioner does not deserve to be released on bail on merits. However, he is in custody for more than 5 years. Only 1 out of 29 witnesses has been examined till date. There is little possibility of completion of trial in near future.

Considering the slow pace of the trial as well as period of incarceration of the petitioner, this Court is inclined to hold that petitioner is entitled to bail solely on the touchstone of the Article 21 of the Constitution of India.

Accordingly, prayer for bail is allowed.

The petitioner namely **Sandeep Lakra** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur subject to condition that he shall not enter the jurisdiction of Harirampur P.S. and shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as stated above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is thus disposed of.

Case Diary be returned.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)