

22.07.2025

Item No.20

Ct.No.34

rc.

Allowed

C.R.M. (M) 516 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nandanghat Police Station Case No. 422 of 2022 dated 05.10.2022.

And

In Re : **Jaharlal Murmu**

... Petitioner

Mr. Atanu Biswas

Mr. Mrinal Saha

... for the Petitioner

Md. Anwar Hossain

Ms. Debolina Das

... For the State

Heard learned counsels for the parties.

The bail prayer of the petitioner was turned down by this Court on December 21, 2023 considering the material on record. On merit, the petitioner does not deserve a favourable order.

However, it is seen that after such rejection, there has hardly been any progress in trial of the case. Witnesses did not turn up on several occasions and the learned Public Prosecutor was also found absent. The delay in trial cannot be attributed to the petitioner.

The petitioner is in custody for more than two years.

Considering the period of detention of the petitioner as well as slow progress in trial, this Court is of the view that

further detention of the petitioner is not required and he may be granted bail subject to stringent conditions.

Accordingly prayer for bail is allowed.

The petitioner **Jaharlal Murmu**, 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 Additional Chief Judicial Magistrate, Kalna, Purba Bardhaman subject to condition that he shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any day 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.

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

(Suvra Ghosh, J.)