

24.02.2025
Item No.115
Court No.26
Allowed
CHC

CRM (DB) 3397 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Haridevpur** Police Station Case No. **478 of 2019** dated 06.11.2019 under Sections **34/394/307** of the Indian Penal Code, subsequently added Section 412 of the Indian Penal Code. Subsequently, charges were framed under Sections 394/307/411/34 of the Indian Penal Code.

-And-

In the matter of : Oindrila Roy @ Tiya

... .. Petitioner

Mr. Masum Ali Sardar, Advocate
... .. *For the Petitioner*

Mr. P. P. Das, Advocate
Mr. Sachit Talukdar, Advocate
... ..*For the State*

1. Petitioner prays for bail on the ground of delay of trial.
2. Petitioner is in custody in excess of 5 years 3 months.
3. Out of 46 prosecution witnesses only 4 were examined.
4. Possibility of the trial ending any time in the near future is extremely remote.
5. Purely on the principles of Article 21 of the Constitution of India, we grant bail to the petitioner.
6. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a 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, Alipore, South 24 Parganas**, subject to condition that the petitioner shall appear before the learned

trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

7. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.
8. The prayer for bail of the petitioner is **allowed**.
9. CRM(DB) 3397 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)