

18.02.2025
Item No.74
Court No.26
S.D.
(Bail granted)

CRM (DB) 4139 of 2024

In re: An Application for **Bail** under Section 439 of the Code of Criminal Procedure, 1973/section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tehatta** Police Station Case No. **292** of **2022** dated **20.04.2022** under Sections **394/397** of the Indian Penal Code, 1860.

-And-

In the matter of : Jamal Dafadar

... .. Petitioner

Mr. Jaydeep Biswas
Mr. Asraf Mondal
Mr. Kaushik Ghosh
Mr. Tanbir Mandal
... .. For the Petitioner
Ms. Subhasree Patel
Mr. Shashanka Sekhar Saha
... ...For the State

Co-accused was granted bail by the Coordinate Bench.

Petitioner is in custody in excess of 2 years and 10 months.

Charges stand framed without any prosecution witness being examined subsequent thereto. There is hardly any possibility of the trial concluding any time soon.

In such circumstances, purely on the principles of Article 21 of the Constitution of India, we grant bail to the petitioner.

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 Additional Chief Judicial Magistrate, Tehatta, Nadia**, 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.

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.

The prayer for bail of the petitioner is **allowed**.

C.R.M.(DB) 4139 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)