

28.02.2025

Serial no. 6

[Dd]

(Bail **allowed**)

CRM (DB) 4772 of 2023

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Dankuni** Police Station Case No. **359** of **2021** dated **14.11.2021** under Sections **376(I)/376(D)/323** of the Indian Penal Code, 1860 and charge sheet submitted under Sections **376(I)/376(D)/323** of the IPC.

-And-

In the matter of : Ananda Malik @ Choka

... .. Petitioner

Ms. Jeenia Rudra, Advocate

... .. For the Petitioner

Mr. Suman De,

Mr. A. S. Chatterjee, Advocates

... ..For the State

1. Report submitted in Court be taken on record.
2. There is no progress of the trial since February 29, 2024 when the petitioner was enlarged on interim bail. Victim is yet to be recovered.
3. De facto complainant is not appearing before the jurisdictional Court to depose.
4. In such circumstances, there is hardly any possibility of the trial ending any time in the near future.
5. Purely on the principles of Article 21 of the Constitution of India, we confirm the interim bail granted to the petitioner on February 29, 2024 by the co-ordinate Bench.
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 ACJM Serampore, Hooghly 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) 4772 of 2023** is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)