

19.
Court
No.29

24.02.2025

(Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 11 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Amdanga** Police Station Case No. **124/2022** dated **03.04.2022** under Sections **341/302/34** of the Indian Penal Code.

And

In the matter of: - **DINABANDHU PETO @ BULLET**

Mr. Manojit Debnath
Mr. Aatreya Mukherjee

...petitioner.

Mr. Jaydeep Biswas
Mr. Arka Chakraborty

...for the petitioner.

...for the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State be kept with the records.
2. We find that the petitioner is in custody for close to three years.

Six out of 17 charge-sheet named witnesses have been examined. 11 more witnesses will be examined by the prosecution. There is no possibility of an early conclusion of the trial.
3. From a chart filed by the State we find that the delay in progress of trial cannot be attributed to the petitioner at all. On numerous dates, the witness was absent, as a result whereof, the trial had to be adjourned.
4. We further see that out of the six witnesses already examined, PW2 says that he knows nothing about the incident. The other witnesses say that they have heard about the incident.

5. In the facts and circumstances afore-stated, both on merits and on the ground of delay in progress of trial coupled with zero possibility of an early conclusion of the trial, we are inclined to allow the petitioner's prayer for bail.
6. Accordingly, we direct that the petitioner, namely, **DINABANDHU PETO @ BULLET** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, North 24-Parganas at Barasat, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
7. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
8. The application for bail being CRM (DB) 11 of 2025 is accordingly disposed of.
9. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)