

24.02.2025
Item no. 28.
Court No.29.
AB
(Allowed)

CRM (DB) 66 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bankura Police Station Case No.310 of 2023 Dated 05.09.2023 under Section 326/307/120B of the Indian Penal Code read with Sections 25(1)(a)/27 of the Arms Act

And

**In the matter of : Sanjeet Kumar @ Sanjit Kumar
@ Sanjib Kumar
.....Petitioner.**

Mr. S. G. Mukherjee, Sr. Adv,
Mr. Sourav Chatterjee, Sr. Adv,
Mr. Soumya Nagfor the Petitioner.

Ms. Sayanti Santra,
Mr. S. S. Sahafor the State.

Dictated by Arijit Banerjee, J.

1. Status Report filed by the State, be kept with the records.
2. We see that charge is yet to be framed. The petitioner is in custody for about one year and four months. After his bail prayer was rejected on April 8, 2024, in CRM (DB) 911 of 2024, there has been no progress in the trial. There are 55 charge sheet named witnesses. The trial has not even begun. Therefore, the question of early conclusion of the trial does not arise.
3. Learned State Advocate, while opposing the prayer for bail, says that the petitioner is the prime accused, who shot at the victim. There is clinching evidence against him.

4. We are presently not concerned with the merits. The prosecution may have a very strong case to secure the petitioner's conviction. Nobody stops the prosecution from doing so. However, we see that there is no progress in the trial. Since April last year, nothing has moved. Considering that there are 55 charge sheet named witnesses, an early conclusion of the trial is quite improbable.
5. Hence, without touching the merits of the case and solely on the ground of delay in progress of the trial and considering the period of detention of the petitioner, we feel impelled to allow his prayer for bail.
6. Accordingly, we direct that the petitioner, namely **SANJEET KUMAR @ SANJIT KUMAR @ SANJIB KUMAR** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Bankura, and on further conditions that he shall remain within the jurisdiction of Bishnupur Police Station and shall meet the Officer in Charge of the Bishnupur Police Station on every alternate day until further orders.
7. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

8. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
9. The application for bail is, accordingly, allowed.
10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)