6.
05-10-2026
(ct. no. 34)
nb
(allowed)

CRM(M) 2144 of 2026

In re: An application for bail under Section 483 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Contai Police Station Case No.0114 of 2022 dated 13-03-2022 under Sections 120B/302 of the IPC.

In the matter of : **Bubun Maity**

.... Petitioner.

Mr. Jaydeep Biswas,
Mr. Avilash Tripathi,
Mr. Anirban Mukherjee, ... For the Petitioner.
Mr. Krishendu Bhattacharya,
Ms. Salani Bairagi,

.... For the State.

1. This application has been filed on behalf of the petitioner on the ground of violation of fundamental right for expeditious disposal of the Trial. Prayer for bail is made on the ground of prolong incarceration .It is submitted that petitioner is behind the bar since 13.3.2022 i.e. more than four years and seven months. Out of fifteen witnesses, ten witnesses have been examined but despite specific direction given to the learned Trial Court to conduct an expeditious trial, the witnesses are not being produced on behalf of the Prosecution and witness warrant was pending for execution. Further submitted there is remote possibility of early hearing and prays for an order of bail.

2. On behalf of the State the Case Diary has been handed over and memo of evidence is also submitted. It is candidly submitted that the I.O. though prayed for filing

Supplementary Charge sheet but has not yet filed and the report pending before CFSL has not been collected.

3. It is submitted that last order of rejection was passed by the Learned Single Judge with a direction to the learned Magistrate for early disposal and in default to pass an order of bail and admitted that WWA was issued however that has been executed.

4. Having heard both the learned counsel and considering the materials on record as well the case diary, this Court is of the view that it is settled proposition of law that Article 21 of the constitution guaranteed speedy trial as one of the fundamental right of the petitioner and bail is not to be withheld as a punishment. It is evident from the record that most of the major witnesses have been examined and witness warrant was issued for a long period oof time and has been executed only on May 22, 2026. It further transpires that even thereafter, on the schedule so fixed, no witnesses were produced. Therefore considering all aspect of the matter, the prayer as prayed stands allowed.

5. Accordingly, the petitioner be released on bail on following conditions.

a) The petitioner, namely, **Bubun Maity** shall be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be

local, to the satisfaction of learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur.

b) The petitioner shall appear before the learned Trial Court on every date of hearing fixed by the learned trial Court and as and when called for and shall not intimidate the witnesses and/or temper with evidence in any manner whatsoever and shall not commit any cognizable offence in any manner whatsoever.

c) The petitioner shall appear before the officer-in-charge of the local police station once in a week, until further orders.

d) In the event, the petitioner failed to comply with any of the condition stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

6. The application for bail is, thus, **allowed**.

7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Chaitali Chatterjee (Das), J.]