

45. 23.08.2021

Ct.32

Tanmoy

Allowed

**C.R.M. 3562 of 2021**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Domkal Police Station Case No. 384/19** dated **16/06/2019** under Sections **302/286/34** of the Indian Penal Code read with Section **9(b)** of the Explosive Act and Section **27** of the Arms Act.

And

In the matter of: - **Akali Sk. & Ors.**

...petitioners.

Mr. Sekhar Kumar Basu, Ld. Sr. Adv.,  
Mr. Diptangshu Basu,  
Ms. Suchismita Dutta

...for the petitioners.

Mr. Nuguive Ahmed, Ld. A.P.P.,  
Mr. Anwar Hossain,  
Ms. Trina Mitra

...for the State.

The petitioners seek parity with other co-accused persons who have been granted bail by co-ordinate Benches of this Court earlier. It *prima facie* appears that out of 44 accused persons 16 have been granted bail earlier.

Learned Counsel for the State, in all fairness, does not dispute the said fact.

Having considered the fact that the co-accused persons, similarly circumstanced with the petitioners, have been granted bail earlier, we are inclined to extend the same privilege to the petitioners also.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate,

Murshidabad, on condition that the petitioners shall appear before the trial Court on every date of hearing and shall meet the Officer-in-Charge of the Police Station within the jurisdiction of which they reside once every fortnight until further orders and shall not leave the district without leave of the Officer-in-Charge. The petitioners shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit similar offence in future.

In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial Court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.

The application for bail being C.R.M. 3562 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

**(Suvra Ghosh, J.)**

**(Arijit Banerjee, J.)**