

23.12.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 7684 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nandigram** Police Station Case No. **122** of **2021** dated **27.03.2021** under Sections 302/341/323/325/307/427/379/506/109/34 of the Indian Penal Code, 1860.

And

In Re : Bishnupada Bera

..... petitioner

Mr. Ashis Santra

.....for the petitioner

Mr. P. K. Dutta

Mr. Santanu Deb Roy

....for the State

Petitioner seeks bail on the ground of parity.

Learned advocate appearing for the petitioner submits that, co-accused were granted bail on December 14, 2021 in CRM 7033 of 2021. The petitioner stands on the same footing.

The contention that the petitioner stands on the same footing is not contested on behalf of the State.

In such circumstances, since the co-accused were granted bail on December 14, 2021 and since the claim of the petitioner that he is on the same footing as that of the co-accused, who were granted bail, is not contested by the State, it would be appropriate to grant bail to the petitioner on the ground of parity.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/- with two sureties

of like amount each, one of whom must be local, to the satisfaction of the **learned Additional Chief Judicial Magistrate, Haldia, Purba Medinipur** with further conditions that the petitioner shall not enter the Jurisdiction of Nandigram Police Station until further order and shall also intimate the address where the petitioner would be residing to the Officer-in-Charge, Nandigram immediately.

It is further directed that the petitioner shall attend the learned Court below on all the dates, as specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

It is made clear that in the event the petitioner fail to comply with the aforesaid directions without any justifiable cause, the learned Court below would be at liberty to cancel their bail without any further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)