

31.03.2022
Serial no. 30
CHC
Ct. No. 29
Allowed

CRM (DB) 863 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 28th March, 2022 in connection with Chapra Police Station Case No.333/2020, dated 16.09.2020 for the offence punishable under Sections 364/302/201/120B/34 of the Indian Penal Code.

-And-

In the matter of : Saidulla Halsana

@ Saidul Halsana & anr.

...Petitioners

Mr. Kalyan Kr. Bhattacharya, Advocate

Mr. Syed Murshid Alam, Advocate

... ... For the Petitioners

Mr. Arijit Ganguly, Advocate

Mr. Avik Ghatak, Advocate

... ...For the State

Petitioners seek bail on the ground of parity.

Learned advocate appearing for the State does not dispute the contention of parity.

In such circumstances, considering the fact that two other co-accused were granted bail by the High Court on December 9, 2021, in CRM 4959 of 2021 and on February 21, 2022 in CRM (DB) 82 of 2022, and the petitioners are entitled to the same facility on the ground of parity we enlarge the petitioners on bail on the ground of parity.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Krishnagar, Nadia, subject to condition that the petitioners shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners in accordance with law without further reference to this Court.

The prayer for bail of the petitioners are allowed.

CRM (DB) 863 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)