

20.04.2022

Serial no. 59

[Dd]

(Bail **allowed**)

CRM (DB) 1014 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Mothabari** Police Station Case No. **50** of **2020** dated **29.01.2020** under Sections **380/395** of the Indian Penal Code.

-And-

In the matter of : Gouranga Chowdhury

... .. Petitioner

Mr. Pawan Kr. Gupta,

Mr. Arnab Saha, Advocates

... .. For the Petitioner

Mr. Swapan Banerjee,

Mr. Anindya Sundar Chatterjee, Advocates

... ..For the State

Petitioner seeks bail on the ground of parity with the other co-accuseds. He submits that from time to time six of the seven charge sheeted accused were enlarged on bail.

The contention of the parity is not disputed on behalf of the State.

In such circumstances on the ground of parity, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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, Malda** subject to condition that the petitioner 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 petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail of the petitioner is **allowed**.

CRM (DB) 1014 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)