

27.04.2022

Sl. 55

Court No.29

suvayan

(Allowed)

C.R.M. (DB) 1094 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nakashipara** P.S. Case No. **286 of 2021** dated **23/06/2021** under Sections **302/201/396/412/413/414/34** of the Indian Penal Code, 1860.

And

In the matter of: Sk. Kamal Hasan @ Raja @ Birbal

....petitioner

Ms. Rupsa Sreemani

...for the petitioner.

Mr. Madhusudan Sur

Mr. Dipankar Paramanick

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is custody for 304 days. The petitioner stands on the same footing as that of the co-accused Srinibas Jadab @ Srinibas Yadab @ Srinibas Yadav @ Shriniwas Yadav who was granted bail on November 23, 2021 and Nowsad Ali @ Nawsad Ali @ Nasir Ali @ Gadu who was granted bail on March 24, 2022.

Learned Advocate appearing for the State does not dispute the claim for parity.

In such circumstances, considering the claim for parity and considering the period of detention of the petitioner, we grant bail to the petitioner.

Accordingly, the petitioner 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, Krishnanagar, Nadia, subject to the condition that during bail the petitioner shall appear before the learned trial court on the date fixed till disposal of

the trial and the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail being C.R.M. (DB) 1094 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)