

02.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(DB) 825 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nowda** Police Station Case No.**38** of **2023** dated **26.01.2023** under Sections 341/ 325/ 323/ 307/ 354/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and Sections 3/ 4 of the Explosive Substances Act.

And

In the matter of: Raju Mondal

..... petitioner

Mr. Pradip Kumar Kundu

....for the petitioner

Mr. Madhusudan Sur, Ld. A.P.P.

Mr. Monoranj Mahata

....for the State

Co-accused was enlarged on anticipatory bail by the order dated February 10, 2023 passed in C.R.M.(A) 615 of 2023.

Petitioner stands on the same footing as that of co-accused who was enlarged on anticipatory bail.

In such circumstances, we grant bail to the petitioner on the ground of parity as also taking into consideration of the period of detention of the petitioner.

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

Berhampore, Murshidabad, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the 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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)