

23.06.2023
Item no.53.
Court No.06.
S. De

CRM (DB) No. 2364 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 14.06.2023 in connection with Raiganj Police Station Case No. 219 of 2022 dated 20.02.2022 under Sections 365/34 of the Indian Penal Code, 1860, subsequently Charge Sheet being No.970 of 2022 dated 18.08.2022 under Sections 365/302/201/120B/34 of the Indian Penal Code.

And

In the matter of : Nayan Barman @ Narayan Barman @

Bhuttu

.....Petitioner.

Mr. Arnab Chatterjee,
Mr. Jissan Iqbal Hossain,
Ms. Poulami Bose,
.....for the Petitioner.

Mr. Saibal Bapuli, Ld. APP,
Mr. Arijit Ganguli,
Mr. A. Bhattacharyya,for the State.

The allegation is under Sections 365/34 of the Indian Penal Code. Chargesheet has been submitted under Sections 365/302/201/120B/34 of the Indian Penal Code. Charge has not yet been framed. The petitioner is in custody for 130 days.

The petitioner says that other accused persons similarly placed have been granted bail by this Court. This is not disputed by learned Additional Public Prosecutor.

Accordingly on the ground of parity, we are inclined to allow this application.

Accordingly, we direct that the petitioner, namely **Nayan Barman @ Narayan Barman @ Bhuttu** 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, Uttar Dinajpur at Raiganj and on further conditions that he shall remain within the jurisdiction of the concerned police station and he shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

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 and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

