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***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM (DB) 405 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.11.2022 in connection with Dinhata Police Station Case No. 595 of 2021 dated 24.11.2021 under Sections 392/409/120B of the Indian Penal.

In the matter of : Arijit Bhowmik

... petitioner

Mr. Arnab Sengupta,
Mr. Janardan Periwai,
Mr. Rajesh Sharma

...for the petitioner

Mr. Kallol Ccharjee,
Ms. Namrata Das

.....for the State.

With

CRM (DB) 37 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.01.2023 in connection with Dinhata Police Station Case No. 595 of 2021 dated 24.11.2021 under Sections 409/120B of the Indian Penal.

In the matter of : Chandra Sekhar Barman

...petitioner

Mr. Amit Sinha

...for the petitioner

Mr. Kallol Ccharjee,
Ms. Namrata Das

.....for the State.

Learned counsel for the petitioners contends that the petitioner in C.R.M.(DB) 405 of 2022, being on equal footing and the petitioner in C.R.M.(DB) 37 of 2023 being on a better

footing than the other co-accused, who has already been granted bail, the present petitioners are also entitled to the same relief.

Learned counsel appearing for the State in both the matters opposes such prayer for bail.

However, keeping in view the fact that the co-accused person has already been granted bail, we are inclined to grant bail to both the petitioners on the ground of parity.

Accordingly, C.R.M.(DB) 405 of 2022 and C.R.M.(DB) 37 of 2023 are allowed, thereby granting bail respectively to the petitioners therein, that is, Arijit Bhowmik and Chandra Sekhar Barman, on condition that the petitioners shall furnish individual bond of Rs. 10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court at Cooch Behar. The sureties may be common for both the petitioners.

The petitioner in C.R.M.(DB) 405 of 2022, that is, Arijit Bhowmik, shall attend trial on each and every date and shall make himself available as and when required for such trial and shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such

facts to the court or to any police officer or tamper with evidence in any manner whatsoever.

Inasmuch as the petitioner in C.R.M.(DB) 37 of 2023, that is, Chandra Sekhar Barman is concerned, he shall also abide by the same conditions as indicated above in respect of the other petitioner. Additionally, Chandra Sekhar Barman shall not leave the territorial jurisdiction of the concerned trial court during the entire period of pendency of the trial.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)