

D/L. 45
February 9, 2023
MNS

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (DB) 94 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.02.2023 in connection with Maynaguri Police Station Case No. 136 of 2022 dated 14.04.2022 under Sections 305/511/120B/506/34 of the Indian Penal Code, 1860.

And

In the matter of: Bijay Roy @ Bijoy Roy

.... Petitioner

Mr. Arjun Chowdhury,
Ms. Pratusha Dutta Chowdhury

... for the petitioner

Mr. A. S. Chakraborty,
Mr. S. S. Sikdar

... for the State

Learned counsel for the petitioner contends that the petitioner is entitled to bail, if not for other reasons, on the ground of parity, since a co-accused person has been enlarged on bail.

Learned counsel for the State opposes the prayer for bail.

However, it transpires that a co-accused person was, indeed, enlarged on bail.

Accordingly, we are inclined to grant bail to the petitioner on the ground of parity.

Hence, CRM (DB) 94 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner furnishes 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, Jalpaiguri.

The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend the trial on each and every date.

The petitioner shall not make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)