

05.02.2024
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allowed

CRM(DB) No. 339 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Naihati G.R.P.S. Case No. 30 of 2023 dated 03.07.2023 under Sections 394/411/413 of the Indian Penal Code.

And

In Re : Avi Banerjee Petitioner

Mr. Manas Kumar Das
Mr. Siddhartha Sarkar
Mr. Hirak Roy

....for the petitioner

Mr. Pinak Kumar Mitra

.... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. Petitioner is in custody for 216 days. Co-accused is on bail. Investigation is complete. He stands on the same footing with the said co-accused. On principles of parity we are inclined to grant bail to the petitioner.
3. 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 Additional Chief Judicial Magistrate, Sealdah, subject to conditions that 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 and on further condition that the petitioner shall meet the Officer-in-Charge, Naihati G.R.P.S. once in a week until further orders.

4. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)