

CRM (DB) 1497 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Netaji Nagar Police Station** Case No. **182 of 2017** dated **17.06.2017** under Sections **302/394/460/120B** of the Indian Penal Code.

- A n d -

In the matter of : Jamil Akhtar @ Mangan

.... Petitioner.

Mr. Deepak Prahladka,
Ms. Reshmi Khatoon,

... For the Petitioner.

Mr. Partho Pratim Das,
Mr. A. Ganguly,

... For the State.

The charge is of murder. However, the petitioner is in custody for seven years.

Learned Advocate for the petitioner refers to an order dated June 10, 2024, passed by this Bench in CRM (DB) 1629 of 2024, whereby a co-accused was enlarged on bail. The petitioner says that he stands on the same footing as that person.

Learned Advocate for the State in his usual fairness does not dispute that this petitioner is similarly circumstanced as the petitioner in CRM (DB) 1629 of 2024.

Solely on the ground of parity and keeping in mind the very long detention of the petitioner and there being no likelihood of early conclusion of the trial, we are inclined to allow this application for bail.

Accordingly, we direct that the petitioner, **Jamil Akhtar @ Mangan**, 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 Sessions

Judge, 5th Court, Alipore, South 24 Parganas and on further conditions that he shall not leave the jurisdiction of the concerned police station and 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 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)