

20.
26-06-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 1508 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda Police Station Case No.240 of 2023 dated 09-05-2023 under Sections 302/201/120B of the Indian Penal Code.

- A n d -

In the matter of : Yohedur Sk @ Ohedul Sekh @ Ohedul Sk.
.... Petitioner.

Mr. Kalidas Saha,
Ms. Mandira Mandal,
Ms. Khushi Mollick

... For the Petitioner.

Ms. Minoti Gomes,
Mr. Debarshi Brahma

... For the State.

The petitioner says that he is in custody for 243 days. Charge has not yet been framed. Three out of four chargesheeted persons have been granted bail. He stands on the same footing as those persons.

Learned advocate for the State in her usual fairness agrees that the petitioner is similarly circumstanced as the other three persons, two of whom have been granted bail by the learned trial Court and one by this Court.

In view of the aforesaid, on the ground of parity, we are inclined to allow this application for bail.

Accordingly, we direct that the petitioner, namely, **Yohedur Sk @ Ohedul Sekh @ Ohedul Sk.**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Malda. 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. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge of the said police station every week until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 1508 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)