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13-06-2024
(ct. no.28)
KOLE
Allowed

CRM (DB) 1576 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Hemtabad Police Station** Case No. **12 of 2021** dated **28.01.2021** under Sections **302/34** of the Indian Penal Code read with Sections 25(i)(a)/27/35 of the Arms Act.

- A n d -

In the matter of : Chuttu Prasad @ Chhattu Prasad

.... Petitioner.

Mr. Kunal Ganguly,
Mr. Kaustav Banerjee,

... For the Petitioner.

Mr. Partha Pratim Das,
Ms. Debadrita Mondal,

... For the State.

The petitioner prays for bail on the ground of parity. He says that a co-accused, Ranjit Barman, was enlarged on bail by a Coordinate Bench by an order dated December 1, 2023, passed in CRM (DB) 4466 of 2023. He says that he stands on the same footing as Ranjit.

Learned Advocate for the State in his usual fairness does not dispute that the petitioner and Ranjit are similarly circumstanced.

Hence, we allow this application for bail.

Accordingly, we direct that the petitioner, namely, **Chuttu Prasad @ Chhattu Prasad**, 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 Chief Judicial Magistrate, Raiganj, Uttar Dinajpur 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.)