

20.06.2024
Item no. 83.
Court No.28.
AB
(Allowed)

CRM (DB) 1657 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Manikchak Police Station Case No.381 of 2022 Dated 17.7.2022 under Sections 143 144/326/307/302/120B of the Indian Penal Code read with Section 3 /4 of the E S Act

And

In the matter of : Tarikul Islam

.....Petitioner.

Mr. Santanu Deb Roy,
Mr. D. Guhafor the Petitioner.

Mr. Soumik Ganguly
Mr. Santanu Talukdarfor the State.

The petitioner claims parity. He refers to orders dated April 23, 2024, passed in CRM (DB) 1150 of 2024 and May 14, 2024 passed in CRM (DB) 1546 of 2024 whereby co-accused persons were enlarged on bail. He says that he stands on the same footing.

Learned Advocate for the State fairly admits that this petitioner is similarly circumstanced as the persons who were enlarged on bail by the aforesaid orders. However, he says that some of those persons were absconding before they were apprehended.

Since this petitioner is similarly circumstanced as co-accused persons, who have been granted bail by this Court, we are inclined to allow this application.

Accordingly, we direct that the petitioner, namely **Tarikul Islam** 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, Malda 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 and/or commit any cognizable offence 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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

