

9.
05-07-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 1735 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baranagar Police Station Case No.733 of 2022 dated 16-12-2022 under Sections 120B/419/420/465/467/468/471 of the Indian Penal Code read with Section 66C/66D of the Information Technology Act and subsequently added Section 121A of the Indian Penal Code.

- A n d -

In the matter of : Dhanraj Shaw

.... Petitioner.

Mr. Sarthak Barman

... For the Petitioner.

Mr. Rudradipta Nandy, learned APP,
Ms. Sanjana Saha

... For the State.

The charge against this petitioner is under various sections of the Indian Penal Code and Sections 67C/67D of the Information Technology Act.

We find from records that a co-accused, namely, Md. Abdus Sakeel @ Abdul Shakeel @ Md. Shakeel @ Shaik Zahid, was enlarged on bail by a coordinate Bench by an order dated May 03, 2024 passed in CRM (DB) 1315 of 2024. We find that this petitioner stands on the same footing, if not better footing.

Also, the petitioner has been in custody for 1 year 7 months. Witness action has not yet begun. There are 22 witnesses named in the charge sheet. There is no chance of early conclusion of the trial.

In view of the aforesaid and also on the ground of parity, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner, namely, **Dhanraj Shaw**, 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 Additional Sessions Judge, 3rd Court, Barrackpore, North 24 Parganas. 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 Baranagar police station and shall report to the Officer-in-Charge of the said police station once in 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) 1735 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.)