

37. 26.07.2024
Court
No.28 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2031 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Dhantala Police Station Case No. 108 of 2024**, dated **16.02.2024** under Section **341/323/325/307/34** of the Indian Penal Code. Charge-sheet submitted on 20.06.2020 under Sections **341/323/325/307/34** adding Section **302** of the Indian Penal Code.

And

In the matter of: - **Subashish Paul**

...petitioner.

Mr. Prabir Majumder, Adv.,
Ms. Sangeeta Chakrabarty, Adv.

...for the petitioner.

Ms. Sreyashee Biswas, Adv.,
Ms. Amita Gaur, Adv.,
Mr. Sayan Dev Kumar, Adv.

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity. He refers to an order dated June 14, 2024, passed by this Bench in CRM (DB) 1741 of 2024, whereby a co-accused person was enlarged on bail. The petitioner says that he stands on the same footing as that person.

2. While opposing the prayer for bail, learned Advocate for the State, in her usual fairness does not dispute that the petitioner is similarly circumstanced as the other co-accused person, namely, Sumit Biswas, who was granted bail by this Bench *vide* order dated June 14, 2024.

3. Hence, on the ground of parity, we allow the petitioner's prayer for bail.

4. Accordingly, we direct that the petitioner, namely, **Subashish Paul** shall be released on bail upon furnishing a bond of Rs.10,000/- (Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to condition that the petitioner shall appear before the learned Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the learned Trial Court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

6. The application for bail being CRM (DB) 2031 of 2024 is accordingly disposed of.

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)