

CRM (DB) 2025 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Amdanga Police Station** Case No. **528 of 2021** dated **07.10.2021** under Sections **395/397/412** of the Indian Penal Code and Sections 25/27 of the Arms Act.

- A n d -

In the matter of : Debu Das

.... Petitioner.

Mr. Kamalesh Ch. Saha,
Ms. Payel Mitra,
Mr. Pranab Roy,

... For the Petitioner.

Mr. Joydeep Roy,
Mr. Subham Bhakat,

... For the State.

Order dictated by Arijit Banerjee, J.:

The petitioner claims parity. He refers to an order dated March 11, 2024, passed by a Coordinate Bench in CRM (DB) 450 of 2024, whereby a co-accused person was enlarged on bail. The petitioner says that he stands on the same footing. He is in custody for two years and eight months.

Learned Advocate for the State while opposing the prayer for bail, in his usual fairness, does not dispute that the petitioner is similarly circumstanced as the accused person who has been granted bail as referred to above.

Hence, solely on the ground of parity, we are inclined to allow the petitioner's prayer for bail.

Accordingly, we direct that the petitioner, namely, **Debu Das**, 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 Additional Chief Judicial

Magistrate, Barasat, North 24 Parganas 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 week 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.)