

19.
Court
No.28

14.08.2024
(Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2053 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Dholahat** Police Station Case No. **106/2023**, dated **09.03.2023** under Sections **341/447/325/326/307/302/506/34** of the Indian Penal Code.

And

In the matter of: - **Ratan Naskar**

...petitioner.

Mr. Asif Iqbal
Mr. Debdip Mandal
Ms. Ambika Sashmal

...for the petitioner.

Ms. Anasuya Sinha, Ld. APP
Ms. Rajashree Tah

...for the State.

Dictated by Arijit Banerjee, J.

1. The charges are under various Sections of Indian Penal Code including Section 302. The petitioner says that he is in custody for one year and five months. He stands on the same footing as other accused persons who have been enlarged on bail. He prays for bail.

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 other accused persons who have been granted bail.

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

4. Accordingly, we direct that the petitioner, namely, **Ratan Naskar** 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, Kakdwip, South 24 Parganas, 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) 2053 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.)

(Partha Sarathi Sen, J.)