

59. 26.07.2024
Court
No.28 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2072 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Beliabera Police Station Case No. 41 of 2015**, dated **04.07.2015** under Sections **406/420/409/467/120B** of the Indian Penal Code.
And

In the matter of: - **Amal Kumar Pal @ Amal Pal**

...petitioner.

Mr. Dhananjay Banerjee, Adv.,
Ms. Oindrila Ghosh, Adv.

...for the petitioner.

Mr. Saryati Dutta, Adv.,
Mr. Tirupati Mukherjee, Adv.

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner is one out of 193 accused persons. He claims parity. He refers to various orders of co-ordinate Benches of this Court whereby co-accused persons have been granted bail. He says that he stands on the same footing.

2. Learned Advocate for the State, while opposing the prayer for bail, in his usual fairness, does not dispute that this petitioner is similarly circumstanced as the other accused persons who have been enlarged on bail.

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

4. Accordingly, we direct that the petitioner, namely, **Amal Kumar Pal @ Amal Pal** 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 the learned Chief Judicial Magistrate, Jhargram, 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) 2072 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.)