

19. 27.08.2024
Court
No.28 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2198 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Patashpur** Police Station Case **No.375/2023** dated **07.8.2023** under Sections **447/448/506/323/325/379/307/302/34** of the Indian Penal Code. Charge-sheet submitted under Sections **147/148/149/447/448/323/325/302/506** of the Indian Penal Code.

And

In the matter of: - **Basanta Mal**

...petitioner.

Mr. Arnab Chatterjee
Ms. Poulami Bose

...for the petitioner.

Mr. Partha Pratim Das
Ms. Mamata Jana

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated August 14, 2024, passed in CRM (DB) 2047 of 2024.
2. Learned Advocate for the State, while opposing the prayer for bail, in his usual fairness, does not dispute that the present petitioner stands on the same footing as the petitioner in CRM (DB) 2047 of 2024.
3. Hence, on the ground of parity, we allow the petitioner's prayer for bail.
4. Accordingly, we direct that the petitioner, namely, **Basanta Mal** 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 Sessions Judge, 2nd Court, Fast Track, Contai, Purba Medinipur, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, 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 Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
6. The application for bail being CRM (DB) 2198 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.)

(Bivas Pattanayak, J.)