

CRM (DB) 2298 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chinsurah Police Station** Case No. **211 of 2021** dated **11.05.2021** under Sections **326/307/120B** of the Indian Penal Code read with Sections 25/27 of the Arms Act.

- A n d -

In the matter of : Sanjoy Das @ Sanjay Das @ Shyamal

.... Petitioner.

Mrs. Jeenia Rudra,

... For the Petitioner.

Mr. Debasish Roy,
Mr. B. Kr. Roy,
Mr. N. Dhali,

... For the State.

Mr. Tapas Kr. Ghosh,
Mr. T. Chowdhury,

... for the defacto complainant.

Order dictated by Arijit Banerjee, J.:

1. The petitioner claims parity citing an order dated June 20, 2024, whereby a coordinate Bench in CRM (DB) 1804 of 2024 enlarged a co-accused person on bail, on the ground of delay in trial. He says that he is similarly circumstanced and has been in custody for three years and three months.
2. While opposing the prayer for bail, learned Public Prosecutor and learned Advocate for the defacto complainant, in their usual fairness, do not dispute that this petitioner stands on the same footing as Surajit @ Surojit Roy @ Mejo who was enlarged on bail by a coordinate Bench on June 20, 2024.
3. Hence, on the ground of parity, we are inclined to enlarge the petitioner on bail.

4. Accordingly, we direct that the petitioner, namely, **Sanjoy Das @ Sanjay Das @ Shyamal**, 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 Chief Judicial Magistrate, Hooghly subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not enter the jurisdiction of district Hooghly except for the purpose of attending court proceeding and shall provide the address where he shall reside to the officer-in-charge of the concerned police station as well as the jurisdictional court and meet the officer-in-charge of the concerned police station once in a week until further orders.

5. 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.

6. The application for bail is, accordingly, allowed.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Prasenjit Biswas, J.)**

(**Arijit Banerjee, J.)**