

03
25-09-2024
(ct. no.28)
KOLE
Allowed

CRM (DB) 2323 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Domjur Police Station Case No. 26 of 2024** dated **14.01.2024** under Sections **302/201/120B** of the Indian Penal Code.

- A n d -

In the matter of : Ajijur Gazi @ Hasu

.... Petitioner.

Mr. Kollol Kr. Basu,
Md. Jannat Ul Firdous,

... For the Petitioner.

Mr. Sandip Chakraborty,
Mr. S. Chakraborty,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner claims parity citing an order dated September 12, 2024, whereby a Coordinate Bench, in CRM (DB) 2982 of 2024 granted bail to a co-accused person, namely Rupam Mondal. The petitioner says that he stands on the same footing as that person.

2. Learned State Counsel, while opposing the bail prayer in his usual fairness does not dispute that this petitioner and the said Rupam Mondal are similarly circumstanced.

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

4. Accordingly, we direct that the petitioner, namely, **Ajijur Gazi @ Hasu**, 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, Howrah subject to condition that he shall appear before

the trial court on each and every date of hearing until further orders and shall not intimidate witnesses 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 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)