

22.
24-09-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 2451 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Santipur Police Station Case No.784 of 2021 dated 05-10-2021 under Section 392 of the Indian Penal Code.

- A n d -

In the matter of : Shubho Saha

.... Petitioner.

Ms. Minoti Gomes

... For the Petitioner.

Ms. Faria Hossain, learned APP,
Mr. Amanul Islam

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner claims parity citing an order dated July 02, 2024, whereby this Bench enlarged on bail a co-accused person on the ground of parity as also on the ground of delay in progress of trial. The petitioner says that he stands on the same footing as the persons granted bail.

Learned State advocate, while opposing the prayer for bail, in her usual fairness, does not dispute that the petitioner and the other accused persons, who have been granted bail, are similarly circumstanced.

Hence we allow this application on the ground of parity.

Accordingly, we direct that the petitioner, namely, **Shubho Saha**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two registered sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial

Magistrate, Ranaghat, Nadia. 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, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with 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.

The application for bail being CRM (DB) 2451 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)