

05.09.2024
Item no. 99.
Court No.28.
AB
(Allowed)

CRM (DB) 2558 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Duttapukur Police Station Case No.672 of 2020 Dated 15.09.2020 under Section 302/201/120B of the Indian Penal Code

And

In the matter of : Brihaspati Mondal

.....Petitioner.

Mr. Anshuman Chakraborty
Mr. S. S. Sahafor the Petitioner.

Mr. Antarikhya Basufor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated 10.07.2024 passed by a Coordinate Bench in CRM (DB) 1924 of 2024, whereby a co-accused, namely, Soumen Mondal, was enlarged on bail primarily on the ground of delay in progress of the trial. The petitioner says that she stands on the same footing as the other person.
2. While opposing the prayer for bail, learned Advocate for the State, in his usual fairness, does not dispute that this petitioner and the aforesaid Soumen Mondal are similarly circumstanced.
3. Hence, on the ground of parity, we allow this application for bail.
4. Accordingly, we direct that the petitioner, namely **Brihaspati Mondal** 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, North 24 Parganas at Barasat, and on further conditions that she shall not leave the jurisdiction of the concerned police station until further orders and shall cooperate with the investigation.

5. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
6. 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.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)

