

148.
05-09-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 2639 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Farakka Police Station Case No.62 of 2023 dated 31-01-2023 under Sections 302/34 of the Indian Penal Code read with Section 25/27 of the Arms Act and 3/4 of the Explosive Substance Act.

- A n d -

In the matter of : Saharuk Sk.

.... Petitioner.

Mr. Samim Ahammed,
Ms. Gulsanwara Pervin

... For the Petitioner.

Mr. Ranabir Roychowdhury,
Mr. Mujibar Ali Naskar

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner claims parity citing an order dated July 26, 2024 passed by a coordinate Bench in CRM (DB) 2023 of 2024, whereby two co-accused persons were enlarged on bail. The petitioner says that he stands on the same footing as those persons.

While opposing the prayer for bail, learned advocate for the State, in his usual fairness, does not dispute that the petitioner and the aforesaid two persons, who were enlarged on bail, are similarly circumstanced.

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

Accordingly, we direct that the petitioner, namely, **Saharuk Sk.**, 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 learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad. The petitioner shall appear before the learned trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of local police station and report to the Officer-in-Charge/Inspector-in-Charge of the said police station once in every week, until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 2639 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.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)