

19.11.2024
Item no. 13.
Court No.29.
AB
(Allowed)

CRM (DB) 2645 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 Hanskhali Police Station Case No.327 of 2022 Dated 10.04.2022 under Section 120B/34/342/304/506 of the Indian Penal Code read with Section 6 of the POCSO Act

And

In the matter of : Surajit Roy

.....Petitioner.

Mr. Susnigdho Bhattacharya
Mrs. Santa Bhattacharya
Ms. Sarmistha Defor the Petitioner.

Mr. Amajit De, Spl PPfor the CBI.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated November 12, 2024, passed by a Coordinate Bench in CRM (DB) 3512 of 2024, whereby a co-accused by the name of Dipta Gayali was enlarged on bail. He says that he stands on the same footing as Dipta Gayali.
2. Learned Advocate for the CBI, while opposing the prayer for bail, in his usual fairness, does not dispute that this petitioner is similarly circumstanced as Dipta Gayali.
3. Hence, on the ground of parity, we allow the petitioner's prayer for bail.
4. Accordingly, we direct that the petitioner, namely **Surajit Roy** 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 Judge, Special Court under the POCSO Act at Ranaghat, Nadia, and on further conditions that he shall not enter the district of Nadia except for the purpose of investigation and/or attending court proceedings and shall provide the address where he shall presently reside to the Office of the DIG, CBI, SCB at Salt Lake, Sector-I, CGO Complex, Kolkata as well as the trial court until further orders. Prior to his release, he shall deposit his passport, if any, with the learned Trial Court. He shall not indulge in any dilatory tactics including deferment of cross examination of witnesses present.

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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)