

06.09.2024
Item no. 17.
Court No.28.
AB
(Allowed)

CRM (DB) 2739 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 Domjur P. S. Case No.487 of 2024 Dated 25.06.2024 under Section 498A/302/34 of the Indian Penal Code read with Sections 3 and 4 of the D. P. Act

And

In the matter of : Maya Pal @ Maya Paul & Anr.

.....Petitioners.

Mr. Ashoke Das,
Mr. Sourav Mukherjee,
Ms. Hasi Janafor the Petitioners.

Mr. Arindam Sen
Mr. Mujibar Ali Naskarfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioners claim parity citing orders dated August 12, 2024, and August 20, 2024, passed by a Coordinate Bench, in CRM (A) 2730 of 2024 and CRM (A) 2875 of 2024 respectively, whereby other accused persons including the husband of the victim lady were granted anticipatory bail. The petitioners, who are parents in law of the victim lady, say that they stand on the same footing as the other accused persons.
2. While opposing the prayer for bail, learned State Counsel, in his usual fairness, does not dispute that these petitioners are similarly circumstanced as the other accused persons, who have been granted anticipatory bail.
3. Hence, on the ground of parity, we allow this application.

4. Accordingly, we direct that the petitioners, namely **Maya Pal @ Maya Paul & Biswanath Pal @ Paul @ Bishu** shall be released on bail upon furnishing a bond of Rs.10,000/-each, with two registered sureties of like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Howrah, and on further conditions that they shall not leave the jurisdiction of the concerned police station and the petitioner no.2 shall report to the Officer-in-Charge of the concerned police station once in a fortnight and the petitioner no.1 shall cooperate with the investigation until further orders.
5. The petitioners 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 petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' 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.)

