

06.09.2024  
Item no. 18.  
Court No.28.  
AB  
(Allowed)

**CRM (DB) 2793 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 Palashipara Police Station Case No.165 of 2024 Dated 29.03.2024 under Section 498A/304B/306/34 of the Indian Penal Code

And

**In the matter of : Samar Mondal**

**.....Petitioner.**

Mr. Amanul Islam  
Mr. Sourav Mukherjee .....for the Petitioner.

Ms. Sreyashi Biswas  
Mr. Parvej Anam .....for the State.

**Dictated by Arijit Banerjee, J.**

1. The petitioner, who is the uncle in law of the victim lady, claims parity, citing an order dated August 1, 2024, passed by a Coordinate Bench in CRM (DB) 2424 of 2024, whereby another accused person, being the husband of the victim lady, was granted bail. The petitioner says that he stands on a better footing than the husband of the victim lady.
2. While opposing the prayer for bail, learned State Counsel, in her usual fairness, does not dispute that this petitioner stands at least on the same footing, if not better footing, than Dipak Mondal, being the husband of the victim lady, who was granted bail by a Coordinate Bench as indicated above.

3. Hence, on the ground of parity, we allow this application for bail.
4. Accordingly, we direct that the petitioner, namely **Samar 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 Additional Chief Judicial Magistrate, Tehatta, Nadia.
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.)**

