

03.12.2024
Item no. 51.
Court No.29.
AB
(Allowed)

CRM (DB) 3069 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 Dankuni Police Station Case No.248 of 2020 Dated 14.12.2020 under Sections 302/34 of the Indian Penal Code

And

In the matter of : Subarna Chowdhury

.....Petitioner.

Ms. Jeenia Rudrafor the Petitioner.

Mr. Ranabir Roychoudhury
Ms. Baishakhi Chatterjee.....for the State.

Dictated by Arijit Banerjee, J.

1. Report filed by the State, be kept with the records.
2. The petitioner claims parity citing an order dated September 6, 2024, passed in CRM (DB) 2241 of 2024, whereby a Coordinate Bench enlarged on bail a co-accused person. The petitioner says that she stands on the same footing as that person insofar as the period of detention and lack of progress in trial is concerned.
3. Learned State Advocate, while opposing the prayer for bail, in his usual fairness, does not dispute that this petitioner is similarly circumstanced as Shyamali Sarkar, the petitioner in CRM (DB) 2241 of 2024, who was granted bail.

4. Hence, on the ground of parity, we allow this application for bail.
5. Accordingly, we direct that the petitioner, namely **SUBARNA CHOWDHURY** 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, Serampore, Hooghly, and on further conditions that she shall not leave the jurisdiction of the concerned Police Station until further orders.
6. 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.
7. 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.
8. The application for bail is, accordingly, allowed.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

