

CRM (DB) 3216 of 2024

In re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Khardah Police Station Case No. 814 of 2021** dated **10.12.2021**, under **Sections 364/120B** of the Indian Penal Code and adding **Section 302/201** of the Indian Penal Code.

- A n d -

In the matter of : Bappa Kar @ Gulan.

.... petitioner.

Mr. Sashanka Shekhar Saha,

... For the petitioner.

Ms. Anasuya Sinha, Ld. A.P.P.,

Ms. Pushpita Saha,

... For the State.

Order dictated by Arijit Banerjee, J.

1. Report filed on behalf of the State, be kept with the records.
2. The petitioner claims parity citing an order dated July 26, 2024, passed in CRM (DB) 1988 of 2024, whereby co-accused persons were enlarged on bail. He says that he stands on the same footing as those persons. He prays for bail.
3. While opposing the prayer for bail, learned State Counsel, in her usual fairness, does not dispute that this petitioner and the co-accused persons, who have been enlarged on bail, as mentioned above, are similarly circumstanced.
4. Hence, on the ground of parity, we allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Bappa Kar @ Gulan** 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, Barrackpore, North 24-Parganas.

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 in any manner whatsoever.
7. The petitioner shall report to the Officer-in-Charge of the concerned Police Station once in every week, until further orders. The petitioner shall not enter the jurisdiction of North 24-Parganas except for the purpose of attending the court proceedings. The petitioner shall furnish through his learned advocate, the learned trial Court and the Officer-in-Charge of Khardah Police Station his current local address where he would be residing while on bail.
8. 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.
9. The application for bail is, accordingly, allowed.
10. 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.)