

CRM (DB) 3246 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 **Domjur Police Station Case No. 26 of 2024** dated **14.01.2024**, under **Sections 302/201** of the Indian Penal Code.

- A n d -

In the matter of : Tutul Majhi.

.... petitioner.

Mr. Pawan Kumar Gupta,
Mr. Abhishek Agarwal
Mr. Amir Ali,
Ms. S. Nesar,
Mr. Santanu Sett, ... For the petitioner.

Mr. Avishek Sinha,
Mr. Abhinaba Mukherjee, ... 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 September 12, 2024, passed in CRM (DB) 2982 of 2024, whereby a co-accused person was enlarged on bail. He says that he stands on the same footing as that person. He prays for bail.
3. While opposing the prayer for bail, learned State Counsel, in his usual fairness, does not dispute that this petitioner and the co-accused person, who has 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, **Tutul Majhi** 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 Chief Judicial Magistrate, Howrah and on further condition that he shall not leave the jurisdiction of the concerned police station and shall report to the officer in charge of the concerned police station once in a fortnight 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 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)