

52.
24-12-2024
(ct. no.29)
debajyoti
(allowed)

CRM (DB) 3811 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Debra Police Station Case No.701 of 2019 dated 30-12-2019 under Sections 341/376D/328/34 of the Indian Penal Code read with under Section 6 of the POCSO Act.

- A n d -

In the matter of : Sanju Nag

.... Petitioner.

Mr. Pravas Bhattacharyya

... For the Petitioner.

Mr. Sandip Chakraborty,

Ms. Deblina Dutta

... For the State.

Dictated by Arijit Banerjee, J.

1. Affidavit-of-Service filed in Court today is taken on record. In spite of service, none appears on behalf of the defacto complainant/victim.

2. The petitioner claims parity citing an order dated October 04, 2024 passed by a coordinate Bench in CRM (DB) 2741 of 2024 whereby a co-accused person, namely, Subhadip Munain, was enlarged on bail. The petitioner says that he stands on the same footing as Subhadip Munain.

3. While opposing the prayer for bail, learned State advocate, in his usual fairness, does not dispute that this petitioner and Subhadip Munain 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, **Sanju Nag**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two registered sureties of like amount each, to the satisfaction of learned Chief Judicial Magistrate, Paschim Medinipur. The petitioner shall appear before the trial Court on every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner while on bail shall not enter the jurisdiction of Debra Police Station except for the purpose of attending the court proceedings and shall not leave the jurisdiction of district Paschim Medinipur. The petitioner shall meet the Officer-in-Charge/Inspector-in-Charge of the concerned police station where he shall be residing while on bail. The petitioner shall inform, through his learned advocate, the learned trial Court and the Officer-in-Charge/Inspector-in-Charge of Debra Police Station and the jurisdictional police station his current local address where he shall be residing while on bail.

6. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

7. The application for bail is, thus, **allowed**.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)