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21-03-2025
(ct. no.29)
S. De
(Allowed)

CRM (DB) 251 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Baruipur Police Station Case No.2047 of 2017** dated **21.07.2017** under Sections **363 & 365** of the Indian Penal Code & **Sections 363/313/365/302/201/120B** of the Indian Penal Code.

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In the matter of : Jagannath Sardar. Petitioner.

Mr. Neil Basu,
Mr. Sankha Biswas, ... For the Petitioner.

Mr. Rudradipta Nandy, Ld. APP,
Ms. Sanjana Saha, ... For the State.

Order dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing orders dated November 29, 2024 and February 24, 2025, passed in CRM (DB) 3275 of 2024 and CRM (DB) 151 of 2025 respectively, whereby co-accused persons by the names of Sunil Halder @ Babu and Ashok Haldar respectively, were enlarged on bail solely on the touchstone of Article 21 of the Constitution of India. The petitioner says that he stands on the same footing as those two persons in as much as he is in custody for seven and half years.

2. Learned State counsel, while opposing the prayer for bail, in her usual fairness, does not dispute that in so far as the delay in trial and period of detention are concerned, this petitioner is similarly circumstanced as the aforesaid Sunil Halder @ Babu and Ashok Haldar.

3. Hence, on the ground of parity, we allow this application for bail.

4. Accordingly, we direct that the petitioner, namely, **Jagannath Sardar** 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 Additional District and Sessions Judge, Fast Track Court, Baruipur, South 24-Parganas, subject to the condition that the petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall remain within the territorial jurisdiction of Baruipur Police Station, except for the purpose of attending Court proceedings and shall also meet the Inspector-in-Charge/Officer-in-Charge of the said Police Station once in a week, until further orders.

5. 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.

6. The application for bail is, accordingly, allowed.

7. 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.)