

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
CRM (DB) 245 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Chanchal** Police Station Case No. **664/2021** dated **14.08.2021** under Sections **376D/323/324/354/509/34** of the Indian Penal Code, 1860, read with Section 67 of the Information Technology Act.

And

In the matter of: - **BABURAM MURMU**

...petitioner.

Mr. Arup Kumar Bhowmick

...for the petitioner.

Ms. Minoti Gomes

Ms. Sana Naaz

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated December 9, 2024, passed by this Bench in CRM (DB) 3285 of 2024, whereby a co-accused person by the name of Dhenu Kisku @ Dina, was granted bail on the touchstone of Article 21 of the Constitution of India. That accused person was in custody for more than three years and two months. The petitioner says that he stands on the same footing as Dhenu Kisku @ Dina.
2. Leaned Advocate for the State, while opposing the prayer for bail, in her usual fairness, does not dispute that this petitioner is similarly circumstanced as Dhenu Kisku @ Dina insofar as the period of detention and delay in trial are concerned.
3. Hence on the ground of parity, we allow the petitioner’s prayer for bail.
4. Accordingly, we direct that the petitioner, namely, **BABURAM MURMU**, shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, Chanchal, Malda, subject to 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 jurisdiction of English Bazar Police Station, Malda, excepting for the purpose of attending Court proceedings and shall furnish his present address to the Inspector-in-Charge/Officer-in-Charge of the said Police Station as well as to the learned Trial Court and shall also meet the Inspector-in-Charge/Officer-in-Charge of the said Police Station twice in a week, until further orders.

5. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
6. The application for bail being CRM (DB) 245 of 2025 is accordingly disposed of.
7. Criminal Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)