

CRM (DB) 260 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Kalyani Police Station** Case No. **125 of 2022** dated **31.03.2022** under Sections **326/307/34** of the Indian Penal Code.

- A n d -

In the matter of : Raj Biswas

.... Petitioner.

Mr. Sumanta Das,
Mr. A. Tripathi,

... For the Petitioner.

Mrs. Sonali Das,
Mr. A. Dewan,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner claims parity citing an order dated November 6, 2024, passed by a coordinate bench in CRM (DB) 3510 of 2024, whereby a co-accused person by the name of Prakash Mondal was enlarged on bail primarily on the ground of inordinate delay in trial. He says that he stands on the same footing. He is in custody for more than two years eleven months.

2. While opposing the bail prayer, learned State Advocate in her usual fairness does not dispute that this petitioner is similarly circumstanced as Prakash Mondal in so far as the delay in trial and period of detention are concerned.

3. Hence, on the ground of parity, we enlarge the petitioner on bail.

4. Accordingly, we direct that the petitioner, namely, **Raj Biswas**, 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 A.C.J.M, Kalyani, Nadia subject to condition that he shall appear before the trial court on

every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)