

CRM (DB) 302 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 **Hare Street Police Station** Case No. **260 of 2022** dated **13.09.2022** under Sections **120B/419/420/466/467/468/471/474** of the Indian Penal Code.

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In the matter of : Santosh Rajak

.... Petitioner.

Mr. Karan Dudhwewala,

... For the Petitioner.

Mr. Rudradipta Nandi,
Ms. S. Saha,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner claims parity citing orders of the Hon'ble Apex Court and also of this Bench, dated September 2, 2024 and October 8, 2024 respectively, whereby other co-accused persons have been enlarged on bail solely on the ground of delay in trial and prolonged detention in judicial custody. He says that he stands on the same footing. He is in custody for 818 days.

2. Learned State Advocate while opposing the bail prayer, 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 other accused persons namely, Mahesh Fogla and Sourabh Agarwal and others who have been enlarged on bail.

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

4. Accordingly, we direct that the petitioner, namely, **Santosh Rajak**, 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 C.J.M., Calcutta 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 and on further condition that the petitioner while on bail shall remain within the jurisdiction of the concerned police station and shall meet the I.C of the concerned police station once in a fortnight 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.)