

9.
14-02-2025
(ct. no.29)
debajyoti
(allowed)

CRM (DB) 331 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Khardah Police Station Case No.814 of 2021 dated 10-12-2021 under Sections 364/120B/302/201 of the Indian Penal Code.

- A n d -

In the matter of : Bhola Pramanik @ Bholu

.... Petitioner.

Mr. Debasis Kar,
Mr. Husen Mustafi,
Mr. Arka Tilak Bhadra

... For the Petitioner.

Ms. Faria Hossain, learned APP,
Mr. Siladitya Banerjee

... For the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated July 26, 2024 passed in CRM (DB) 1988 of 2024 whereby a co-accused person by the name of Sreedam Das @ Sridam Das and another co-accused were granted bail on the ground of delay in progress of trial and long detention of those accused persons. The petitioner says that he stands on the same footing as those persons as he is in custody for 3 years 2 months. Witness action has still not started. There are 33 charge sheet named witnesses.

2. Learned State advocate, while opposing the prayer for bail, in her usual fairness, does not dispute that this petitioner is similarly circumstanced as the other accused

persons who have been enlarged on bail insofar as the delay in trial and period of detention is concerned.

3. Hence, on the ground of parity, we allow the petitioner's prayer for bail.

4. Accordingly, we direct that the petitioner, namely, **Bhola Pramanik @ Bholu**, 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 learned Additional Chief Judicial Magistrate, Barrackpore. The petitioner shall appear before the learned trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall report to the Officer-in-Charge/Inspector-in-Charge of Khardah Police Station once in every week, until further orders. The petitioner shall not enter the jurisdiction of North 24 Parganas except for the purpose of attending the court proceedings and meeting the Officer-in-Charge/Inspector-in-Charge of Khardah Police Station. The petitioner shall furnish, through his learned advocate, the learned trial Court, Khardah Police Station and the jurisdictional police station under whose jurisdiction he shall be residing while on bail, his current local address.

5. 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.

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

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

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)