

44. 24.03.2025
Court
No.29 (Pritam)
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 437 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Hariharpara** Police Station Case No.**356/2024** dated **10.06.2024** under Sections **302/120B/34** of the IPC, 1860 & Sections 25/27 of the Arms Act.

And

In the matter of: - **Nakari Ghosh.** ...petitioner.

Mr. Somnath Adhikary ...for the petitioner.

Mr. Tapodip Guptafor the *de-facto*.

Mr. Debasish Roy, Ld. A.P.P.,
Mr. Arijit Ganguly,
Mr. Koushik Kundu ...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated March 17, 2025 passed in CRM (DB) 213 of 2025, whereby a co-accused namely, Tinkari Ghosh @ Tinkori Ghosh was enlarged on bail. The petitioner says that he stands on the same footing as Tinkari Ghosh.
2. Learned State counsel while opposing the prayer for bail, draws our attention to the statements of witnesses recorded under Section 164 Cr.P.C.

3. We find that this petitioner and the aforesaid Tinkari Ghosh are similarly circumstanced. Hence, on the ground of parity, we allow the petitioner's prayer for bail.
4. Accordingly, we direct that the petitioner, namely, **Nakari Ghosh**, shall be released on bail upon furnishing a personal bond of Rs.10,000/- (Rupees Ten Thousand) to the satisfaction of learned *C.J.M, Berhampore, Murshidabad*. 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 the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the *Hariharpara* Police Station and shall meet the I.C. of the *Hariharpara* Police Station once in a fortnight, until further orders.
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 being CRM (DB) 437 of 2025 is, thus, disposed of.
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.)