

04.04.2025

Item No.32

Ct.No.34

rc.

Allowed

C.R.M. (DB) 637 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Taherpur Police Station Case No. 102 of 2021 dated 12.05.2021 under Sections 302/120B of the Indian Penal Code.

And

In Re : **Sathi Bhattacharya @ Sathi Dule @ Sathi Duley**

... Petitioner.

Ms. Minoti Gomes

... for the Petitioner.

Mr. Avishek Sinha

Ms. Puja Goswami

... For the State.

Heard learned counsels for the parties.

The petitioner seeks parity with co-accused/principal accused Bhajan Mitra who has been granted bail by this Court on December 23, 2024 after suffering detention for more than three years. The petitioner is also in custody for more than three years. Bail prayer of the petitioner was turned down on earlier occasions considering the merits of the case. However, since the co-accused similarly circumstanced with the petitioner has been granted bail upon consideration of his prolonged detention, the petitioner is also deserves the same relief.

Accordingly, the prayer for bail of the petitioner is allowed.

The petitioner be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that she shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial court without any justifiable cause, the learned trial court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

Case Diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)