

11. 07.03.2025
Court
No.29 (Tanmoy)

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
CRM (DB) 682 of 2025**

In Re: - An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Chapra** Police Station Case No. **563/2024** dated **06.06.2024** under Sections **302/34** of the Indian Penal Code, 1860, read with Sections **25/27** of the Arms Act, 1959. Charge-sheet no. 830/2024 submitted on 03.09.2024 under Sections **302/120B/34** of the Indian Penal Code read with Sections **25/27** of the Arms Act, 1959..

And

In the matter of: - **CHHURAP SK @ SHAIKH @ SAURAB @ CHURAP @
CHURAB SHAIKH AND ANR.**

...petitioners.

Mr. Milon Mukherjee, Sr. Adv. (VC)
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Suman De
Mr. Sujoy Sarkar

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioners claim parity citing orders dated November 6, 2024 and November 11, 2024, passed in CRM (DB) 3253 of 2024 and CRM (DB) 3252 of 2024, respectively, whereby co-ordinate Benches of this Court enlarged on bail two co-accused persons by the names of Najim Sk. and Abdul Nowda @ Abdul Gani Nowda, respectively. The petitioners herein say that they stand on the same footing as those two co-accused persons.
2. Learned Counsel for the State, while opposing the prayer for bail, in his usual fairness, does not dispute that these petitioners are similarly circumstanced as the aforesaid two accused persons who have been granted bail.
3. Hence, on the ground of parity, we allow the petitioners' prayer for bail.

4. Accordingly, we direct that the petitioners, namely, **1. CHHURAP SK @ SHAIKH @ SAURAB @ CHURAP @ CHURAB SHAIKH, 2. HOSAEN @ HOSEN SHAIKH @ HOCHEN SK** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnagar, subject to condition that the petitioners 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 Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioners, while on bail, shall not enter the jurisdiction of Chapra Police Station, until further orders and shall furnish their present address to the Officer-in-Charge of the concerned Police Station as well as the learned Trial Court.
5. In the event the petitioners fail to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.
6. The application for bail being CRM (DB) 682 of 2025 is accordingly disposed of.
7. Criminal Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)