

10.04.2025

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jb.

jdt.

Allowed

C.R.M. (DB) 719 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Thanarpara Police Station Case No. 203 of 2021 dated 22.11.2021 under Sections 148/149/323/302/504/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and Sections 3/4 of the E.S. Act.

And

In Re : **Sanarul Sk & Anr.**

... Petitioners.

Mr. Joydip Biswas
Asraf Mondal
Mr. Koushik Ghosh

... For the Petitioners.

Mr. Suman De
Ms. Puja Goswami

... For the State.

Heard learned counsels for the parties.

The petitioners are in custody for more than 300 days and seek parity with the co-accused standing on similar footing and enlarged on bail earlier.

Learned counsel for the State does not dispute the fact of parity but submits that the petitioners were absconding for about 3 years.

Since co-accused similarly circumstanced with the petitioners have been granted bail by this Court earlier, the petitioners are entitled to the same relief and may be released on bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioners namely Sanarul Sk and Bhola Sk @ Bholai Sk shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Tehetta, Nadia subject to condition that they shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and they shall not tamper with the evidence or intimidate the witnesses in any manner whatsoever.

In the event the petitioners fail to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, the learned trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

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

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

(Suvra Ghosh, J.)