

18.03.2025

Item no.12.

Court No.29.

S. De

(Allowed)

CRM (DB) No. 859 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Chapra Police Station Case No. 563 of 2024** dated **6.06.2024** under **Sections 302/34** of the Indian Penal Code, 1860 and **Sections 25/27 Arms Act**, 1959 and **Sections 302/120B/34** of the Indian Penal Code.

And

In the matter of : Hazer Biswas @ Hajib Biswas. ...Petitioner.

Mr. Sandip Chakraborty,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Kaustav Das,for the Petitioner.

Ms. Zareen N Khan,
Mr. Ronit Mukherjee,for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing two orders both dated March 7, 2025, passed in CRM (DB) 682 of 2025 and CRM (DB) 710 of 2025, whereby 4 accused persons were enlarged on bail by a co-ordinate Bench. The petitioner says that he stands on the same footing as those 4 persons.
2. Learned advocate for the State, while opposing the prayer for bail, in her usual fairness, does not dispute that the present petitioner is similarly circumstanced as the 4 accused persons who have been enlarged on bail as indicated above.
3. Hence, on the ground of parity, we allow this application for bail.
4. Accordingly, we direct that the petitioner, namely, **Hazer Biswas @ Hajib Biswas** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 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 petitioner, while on bail, shall not enter the jurisdiction of Chapra Police Station, until further orders and shall furnish his present address to the Officer-in-Charge of the concerned Police Station as well as the learned Trial Court.

5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.
6. The application for bail is, accordingly, allowed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)