

22.05.2025

Item No.28

Ct.No.34

rc.

Allowed

C.R.M. (DB) 1109 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 Parnasree Police Station Case No. 175 of 2019 dated 25.08.2019.

And

In Re : **Raju Samui**

... Petitioner

Mr. Deepak Prahladka

Ms. Reshmi Khatun

... for the Petitioner

Ms. Faria Hossain

Mr. Atanu Ghosh

... For the State

The petitioner is in custody for more than five years and seeks parity with the co-accused who has been granted bail earlier.

Learned counsel for the State opposes the prayer.

Heard learned counsels appearing for the parties.

I have considered the material on record. The petitioner appears to be similarly circumstanced with the co-accused on bail on merits as well as in so far as period of detention is concerned. He deserves the same benefit. Also, there has not been much progress in trial after bail was granted to the co-accused on March 18, 2025.

Accordingly, prayer for bail of the petitioner is allowed.

The petitioner **Raju Samui** 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 Chief Judicial Magistrate, Alipore subject to condition that he shall not enter the jurisdiction of Parnasree Police Station and shall furnish the address where he shall presently reside before the learned trial Court, Investigating Officer and the Officer-in-Charge of the concerned police station under whose jurisdiction he shall henceforth reside. He shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as mentioned above without justifiable cause, the learned trial Court shall be at liberty to cancel his 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.)