

April 21, 2025

25 ARDR

Allowed

CRM (M) 136 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Bhupatinagar** Police Station Case No. 356 of 2021 dated 04/10/2021 under Sections 363/364A/365/120B of the Code of Criminal Procedure.

And

In Re : Pappu Jana @ Papu Jana

... Petitioner.

Adv. Sourov Mondal,
Adv. Archan Dutta,
Adv. Megha Datta,
Adv. Rony Mondal,

... for the petitioner.

Adv. Subhasree Patel,
Adv. Ratul Ghosh,

... for the State.

The petitioner seeks parity with co-accused Manik Patra and Suman Samanta insofar as the period of his incarceration is concerned.

In opposing the prayer, learned counsel for the State submits that though it was submitted before this Court by the learned State advocate while making his submission in connection with the bail prayer of co-accused Suman Samanta that the victim's minor boy was recovered from the custody of Suman Samanta, memo of Safe Custody reveals that the child was recovered from the house of this petitioner.

Be that as it may, it is not in dispute that this petitioner is similarly circumstanced with the co-accused on bail insofar as his period of detention is concerned. Therefore without going into the merits of the case and solely on the touchstone of Article 21 of the Constitution of India, this Court is of the view that the petitioner is entitled to the same relief.

Accordingly, the prayer for bail is allowed.

The petitioner namely Pappu Jana @ Papu Jana 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, Contai, subject to the condition that he shall not enter the jurisdiction of Bhupatinagar Police Station and shall appear before the learned trial Court on every date of hearing fixed by the learned Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated above, 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 disposed of.

Case Diary be returned.

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.)