

23.04.2025

52

jb.

jdt.

Allowed

C.R.M. (M) 162 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya of the Bharatia Nagarik Suraksha Sanhita in connection with Narendrapur Police Station Case No. 290/2024 dated 13.03.2024 under Sections 302/201/34 of the Indian Penal Code.

And

In Re : Debasish Mondal @ Deba

... Petitioner.

Mr. Soumya Nag
Mr. Rajdeep Sengupta

... For the Petitioner.

Mr. Imran Ali
Mr. S. Balial

... For the State.

The petitioner seeks parity with the co-accused who have been granted bail.

The petitioner is in custody for more than a year.

Learned counsel for the State opposes the prayer.

It appears that the petitioner was not named in the FIR and his name has transpired from the statement of the co-accused who have been granted bail. The petitioner appears to be similarly circumstanced with the co-accused who are on bail and is entitled to the same benefit.

Accordingly, the prayer for bail is allowed.

The petitioner namely Debasish Mondal @ Deba shall 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, Baruipur, South 24 Parganas subject

to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and he shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails 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 his 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.)