

14.05.2025

Item No.54

Ct.No.34

rc.

Allowed

C.R.M. (M) 309 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 Chapra Police Station Case No. 1000 of 2024 dated 06.10.2024 under Sections 329(2)/118(2)/109/305 of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Tapas Halder**

... Petitioner

Mr. Anish Roy
Syed Murshid Alam
Mr. Kali Halder
Mr. Subrata Ghosh
Ms. Amrita Sen

... for the Petitioner

Mr. Pravas Bhattacharya
Mr. Kaustav Banerjee

... For the State

Heard learned counsels for the parties.

The petitioner is in custody for about 143 days and prays for bail.

Learned counsel for the petitioner seeks parity with the co-accused who has been granted bail earlier.

Learned counsel for the State opposes the prayer for bail.

It appears that the petitioner is not the principal assailant and no specific overt act has been attributed to him by the witnesses. The principal accused is on bail.

Considering the material on record as well as the extent of complicity of the petitioner in the alleged offence, the prayer for bail of the petitioner is allowed.

The petitioner **Tapas Halder** 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, Nadia subject to condition that he shall remain outside the jurisdiction of Chapra 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 enter the jurisdiction of Chapra Police Station only for the purpose of appearing 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.)

