

Item No.59

Ct.No.34

rc.

Allowed

C.R.M. (M) 476 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 Malipanchghara Police Station Case No. 64 of 2016 dated 11.03.2016.

And

In Re : **Prakash Sahu @ Prakash Sahoo @ Prakash Show @ Prokash Shaw @ Prokas Shaw** ... Petitioner

Mr. Sagnik Bhattacharya ... for the Petitioner

Ms. Sreyashi Biswas
Mr. Ratul Ghosh ... For the State

Heard learned counsels for the parties.

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

Learned counsel for the State does not oppose the fact.

In view of the fact that the petitioner is similarly circumstanced with the co-accused on bail and is in custody for more than nine years, he deserves the same benefit.

Accordingly prayer for bail is allowed.

The petitioner **Prakash Sahu @ Prakash Sahoo @ Prakash Show @ Prokash Shaw @ Prokas Shaw**, 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, Howrah subject to condition that

he shall remain within the jurisdiction of Malipanchghara 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 provide his mobile phone number to the trial Court, Investigating Officer and the Officer-in-Charge of the concerned police station under whose jurisdiction he shall henceforth reside and shall not change the mobile phone number without prior intimation to them. 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.)