

21.07.2025

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jb.

jdt.

Allowed

C.R.M. (M) 862 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Hariharpara Police Station Case No. 356 of 2024 dated 10.06.2024 under Sections 302/120B/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : Bapon Ghosh @ Bapan Ghosh

Mr. Somnath Adhikary

... For the Petitioner.

Mr. Ranadeb Sengupta

Mr. Subhajit Chowdhury

... For the State

The petitioner seeks parity with the co-accused Nakari Ghosh and Tinkari Ghosh @ Tinkori Ghosh who have been granted bail earlier.

Opposing the prayer, learned counsel for the State takes this Court to the statements of witnesses recorded under Section 164 of the Code of Criminal Procedure.

I have perused the material on record.

It appears that the petitioner is similarly circumstanced with the co-accused who have been granted bail and is entitled to the same benefit.

Accordingly, the prayer for bail is allowed.

The petitioner namely Bapon Ghosh @ Bapan Ghosh 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 Chief Judicial Magistrate, Berhampore, Murshidabad subject to condition that he shall remain within the jurisdiction of Hariharpara police station and shall furnish the address where he shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction he shall presently reside. He shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, 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.)