

14.01.2025
Item no. 31.
Court No.29.
AB
(Allowed)

CRM (DB) 3270 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Panchasayar Police Station Case No.20 of 2020 Dated 17.03.2020 under Section 120B/302/324/34/212 of the Indian Penal Code

And

In the matter of : Jayanta Chakraborty @ Mona

.....Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Kailash Tamoli,
Mr. Debapriya Majumdarfor the Petitioner.

Mr. Ranabir Roy Choudhury
Ms. Nandini Chatterjeefor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner cites an order dated September 2, 2024, passed by a Coordinate Bench in CRM (DB) 2140 of 2024, whereby a co-accused person was enlarged on bail primarily on the ground of lengthy detention.
2. The petitioner says that he is similarly circumstanced insofar as the period of detention is concerned. He renews his prayer for bail, which was earlier rejected, on merits, on several occasions.
3. Learned State Counsel, while opposing the prayer, in his usual fairness, does not dispute that this petitioner is similarly circumstanced as Susanta Kirtania @ Dholu, who was granted bail by the aforesaid order dated

September 2, 2024, insofar as the period of detention is concerned.

4. We see that this petitioner is in custody for about four years and ten months. As would appear from the report filed by the State in Court today, the prosecution proposes to examine 35 more witnesses. Therefore, an early conclusion of the trial is not possible.
5. In view of the aforesaid and also on the ground of parity, we are inclined to allow the petitioner's prayer for bail.
6. Accordingly, we direct that the petitioner, namely **JAYANTA CHAKRABORTY @ MONA** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Alipore, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.
7. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
8. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause,

the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

9. The application for bail is, accordingly, allowed.
10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)