

13.02.2025

SL-43

(Item No.91 of the Daily
List Dt.12.02.2025)

(Bail **allowed**)

(AD)

CRM (DB) 3782 of 2024

In re : An application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sessions Case No.100 of 2022 arising out of **Gangarampur** Police Station Case No.**268** of **2021** dated **22.07.2021** under Sections **302/120B/379/411/34** of the Indian Penal Code which is presently pending before the Learned Additional District and Sessions Judge, Gangarampur at Buniadpur, Dakshin Dinajpur.

-And-

In the matter of : Subhankar Basak @ Subho

... .. Petitioner

Mr. Aniruddha Bhattacharyya, Advocate
Ms. Anushka Bose, Advocate
Ms. Rai Das, Advocate

...for the petitioner

Ms. Faria Hossain, Ld. APP
Mr. Amanul Islam, Advocate

...for the State

Ms. Sananda Bhattacharyya, Advocate
... for the de facto complainant.

1. Petitioner renews the prayer for bail.
2. Co-accuseds were enlarged on bail by the Coordinate Bench on December 6, 2024 passed in CRM (DB) 2684 of 2024. The principal ground of the co-accuseds being released on bail is the delay in trial, the period of custody and Article 21 of the Constitution of India.
3. Petitioner stands on the same footing as that of the co-accuseds who were enlarged on bail by the Coordinate Bench under Article 21 of the Constitution of India.
4. In such circumstances, we extend the same facility to the petitioner before us.

5. Accordingly, we direct that the petitioner, namely, ***Subhankar Basak @ Subho***, shall be released on bail upon furnishing a 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, Gangarampur at Buniadpur, Dakshin Dinajpur***, subject to conditions that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not enter the jurisdiction of Gangarampur Police Station and shall provide his current address where he shall reside and shall meet the I.C. of the concerned police station each and every day until further orders.
6. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.
7. Accordingly, the prayer for bail of the petitioner is **allowed.**
8. **CRM (DB) 3782 of 2024** is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)