

24.02.2025
Ct. No. 26
Item Nos.143 & 144
SB

C.R.M. (DB) No. 3612 of 2024

In Re: - An application for bail under Section 439 of Code of Criminal Procedure / 483 of the B.N.S.S. 2023 in connection with Bhagwanpur P.S. Case No. 347/2021 dated 07.11.2021, under Section 341/ 323/ 325/ 307/ 302/34 of the IPC.

In the matter of : Tapas Dalapati.

With

C.R.M. (DB) No. 3614 of 2024

In Re: - An application for bail under Section 439 of Code of Criminal Procedure / 483 of the B.N.S.S. 2023 in connection with Bhagwanpur P.S. Case No. 347/2021 dated 07.11.2021, under Section 341/ 323/ 325/ 307/ 302/34 of the IPC.

In the matter of : Pintu Giri & Ors.

Mr. Aniket Mitrta
Sk. Sahjahan Alifor the Petitioners

Mr. Rana Mukherjee
Ms. Baishakhi Chatterjeefor the State

Mr. Shibaji Kumar Das
.... For the de facto complainant

1. Two applications for bail are taken up for analogous hearing as they relate to the same police case.
2. Prayer for bail is made on the ground of parity and Article 21 of the Constitution of India.
3. State and the de facto complainant are represented.
4. Learned Additional Public Prosecutor draws the attention of the Court to an order dated September 15, 2022 passed in CRR 3488 of 2022 by which, the High Court stayed the trial.
5. Learned advocate appearing for the de facto complainant refers to the dying declaration.
6. Co-accused was enlarged on bail by the co-ordinate Bench on October 7, 2024 passed in CRM (DB) 2463 of

2024 on the principles of Article 21 of the Constitution of India.

7. Petitioners before us stand on the same footing as that of such co-accused.
8. In such circumstances, we are inclined to grant bail to the petitioners.
9. Accordingly, we direct that the petitioners namely, Tapas Dalapati, (CRM(DB)3612 of 2024) and Pintu Giri, Chinmay Giri and Subhamoy @ Bapan Giri (CRM(DB) 3614 of 2024) shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur subject to condition that the petitioners 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.
10. In the event, the petitioners fail 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.
11. The prayer for bail of the petitioner is allowed.
12. CRM (DB) 3612 of 2024 and CRM (DB) 3614 of 2024 are allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)