

03. 28.01.2025
Court
No.29 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 4137 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Taltala** Police Station Case No. **96/2022** dated **19.07.2022** under Sections **120B/170/365/395/466/467/471/34** of the Indian Penal Code.

And

In the matter of: - **Joydeep Roy**

...petitioner.

Mr. Rajeev Lochan (VC)
Ms. Riya Jhapri

...for the petitioner.

Mr. Suman De
Mr. Santanu Talukdar

...for State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated November 18, 2024, passed by this Bench in CRM (DB) 2712 of 2024, whereby a co-accused person by the name of Prem Kumar Singh, was enlarged on bail on the ground of delay in trial and no possibility of an early conclusion of the trial. That accused person was in custody for over two years and two months. The petitioner says that he is in custody for about two years and three months and is, therefore, similarly circumstanced as Prem Kumar Singh insofar as the period of detention is concerned.
2. While opposing the prayer for bail learned State Advocate, in his usual fairness, does not dispute that this petitioner stands on the same footing as the said Prem Kumar Singh

insofar as the delay in trial and period of detention are concerned.

3. Hence, on the ground of parity, we allow the petitioner's prayer for bail.
4. Accordingly, we direct that the petitioner, namely, **Joydeep Roy** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judge, City Sessions Court, Calcutta, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall not leave the territorial jurisdiction of Mohanpur Police Station, Kolkata – 700121, excepting for the purpose of attending Court proceedings and further investigation and shall meet the Officer-in-Charge, Anti Dacoity & Robbery Squad, Detective Department, Lalbazar, Kolkata Police, once in a week until further orders.
5. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail being CRM (DB) 4137 of 2024 is accordingly disposed of.
7. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)