

19.02.2025
Serial no. 64
[Dd]
(Bail **allowed**)

CRM (DB) 4212 of 2024

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **G.R case no, 2477 of 2021** arising out of **Raninagar** Police Station Case No. **374** of **2021** dated **16.08.2021** under Sections **341/325/326/307/302/120B/34** of the Indian Penal Code, 1860 and Sections **25/27** of the Arms Act and Sections **3/ 4** of the Explosive Substances Act, and charge sheet submitted under Sections 341/325/326/307/302/286/120B/34 IPC.and Sections 9B of the Explosive Act and Section 27 of the Arms Act

-And-

In the matter of : Jharu Mondal

... .. Petitioner

Mr. Tapadip Gupta, Advocate
... .. For the Petitioner

Mr. Madhusudan Sur, APP
Mr. Tirthankar Dhali, Advocates
... ..For the State

1. Prayer for bail on the ground of parity with other co-accuseds who were extended such facility by the co-ordinate Benches on October 3, 2024 in CRM (DB) 2303 of 2024, CRM (DB) 2309 of 2024, CRM(DB) 2314 of 2024 and on October 8, 2024 passed in CRM (DB) 2016 of 2024 and On February 17, 2025 passed on CRM (DB) 4038 of 2024, CRM(DB) 4045 of 2024 cannot be disputed.
2. Prayer for bail is opposed on behalf of the State on the ground that, the order of rejection so far as the petitioner is concerned on August 21, 2024 was on merit and that a period of one year for the disposal of the trial is yet to expire.
3. We are unable to accept such contention advanced on behalf of the State since co-accuseds were enlarged on bail

on the dates as noted above subsequent to the order of rejection dated August 21, 2024.

4. In such circumstances, we grant bail to the petitioner on the ground of parity.
5. Accordingly, we direct that the petitioner 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, Lalbagh, Murshidabad subject to condition 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.
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. The prayer for bail of the petitioner is **allowed**.
8. **CRM (DB) 4212 of 2024 is disposed of.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)