

47.
27-02-2025
(ct. no.29)
debajyoti
(allowed)

CRM (DB) 88 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with New Town Police Station Case No.477 of 2018 dated 18-11-2018 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

- A n d -

**In the matter of : Sk. Sirajul @ Raja @ Pagla @ Sk. Munna
@ Sirajuddin
.... Petitioner.**

Mr. Khalid Hasan

... For the Petitioner.

Mr. Saibal Bapuli, learned APP,
Ms. Snigdha Saha

... For the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State is taken on record.
2. The petitioner claims parity citing an order dated September 24, 2024 passed in CRM (DB) 2481 of 2024, whereby we had enlarged on bail a co-accused person by the name of Laskar Mohar @ Mohar Ali Laskar @ Mohar Loskar on the ground of delay in progress of trial and long detention of that person in judicial custody. Laskar Mohar @ Mohar Ali Laskar @ Mohar Loskar was in custody for over six years. This petitioner is in custody for over six years as well.
3. Learned Additional Public Prosecutor, while opposing the prayer for bail, in his usual fairness, does not dispute that this petitioner stands on the same footing as the said Laskar Mohar @ Mohar Ali Laskar @ Mohar Loskar insofar as the issues of delay in progress of trial and the period of detention

are concerned. Hence, on the ground of parity, we allow the petitioner's prayer for bail.

4. Accordingly, we direct that the petitioner, namely, **Sk. Sirajul @ Raja @ Pagla @ Sk. Munna @ Sirajuddin**, 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 learned Additional Sessions Judge, Fast Track Court-2, Barasat, North 24 Parganas. The petitioner shall appear before the trial Court on every date of hearing and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not also commit any cognizable offence in any manner whatsoever. The petitioner shall not enter the jurisdiction of Rajarhat Police Station except for the purpose of attending the court proceedings. The petitioner shall, through his learned advocate, inform the learned trial Court, New Town Police Station and the jurisdictional police station under whose jurisdiction he shall be residing while on bail his current local address and shall appear before the Officer-in-Charge/Inspector-in-Charge of the said jurisdictional police station once in every week, until further orders.

5. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

6. The application for bail is, thus, **allowed**.

7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)