

CRM (DB) 134 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Maynaguri Police Station** Case No. **383 of 2024** dated **03.09.2024** under Sections **108/3(5)** of the BNS, 2023.

- A n d -

In the matter of : Smt. Sadhana Ghosh (Bose)

.... Petitioner.

Mr. Prajnadeepta Roy,
Mr. Nasir Ali,
Ms. Sohini Kundu,
Ms. Jainallya Bhattacharyya,

... For the Petitioner.

Mr. Kallol Acharjee,
Mr. Dhiman Sil,

... For the State.

1. Learned Advocate for the petitioner and learned Advocate for the State are present. Heard learned Counsel for both the parties.

2. The petitioner claims parity. The petitioner submits that he is in custody for about more than five months and two other co-accused persons are on bail. His prayer for bail should also be considered.

3. Learned State Advocate opposes the bail prayer.

4. Upon perusal of the petition and materials on record, it appears that the charge sheet has already been submitted and as submitted by the learned State Advocate that the allegations made against this petitioner is similar as compared to the other two co-accused persons who are on bail.

5. Considering the facts and circumstances of the case and the materials on record and also considering the period of

detention, on the ground of parity I am inclined to enlarge the petitioner on bail.

6. Accordingly, I direct that the petitioner, namely, **Smt. Sadhana Ghosh (Bose)**, shall be released on bail upon furnishing a bond of Rs. 10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Sessions Judge, 3rd Court, Jalpaiguri subject to condition that she shall appear before the trial court on every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the concerned police station except for the purpose of attending court proceeding until further orders.

7. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

8. The application for bail is, accordingly, allowed.

9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)