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03.07.2025
Ct.No.2
b.das
Allowed

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

C.R.M. (M) 158 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Naxalbari P.S. Case No. 73 of 2024 dated 28.04.2024 under Sections 341/376D/506 of the IPC and Section 6 of the POCSO Act.

And

In Re : **Abatush Munda @ Hawra** ... Petitioner.

Mr. Somraj Paul
Mr. Subham Ghosh
Ms. Srishti Sarker ... for the Petitioner.

Mr. Ujjal Luksom
Mr. Sagnik Shankar Sikder ... for the State.

Affidavit of service filed by the petitioner is taken on record.

The victim is not represented despite service.

The petitioner seeks parity with co accused Dinesh Malpaharia who has been granted bail by this Court on 9th June, 2025.

Learned counsel for the State does not oppose the said fact.

In view of the fact that the petitioner is similarly circumstanced with the co accused who has been granted

bail earlier, this Court is inclined to hold that the petitioner deserves the same benefit.

Accordingly, prayer for bail is allowed.

The petitioner namely **Abatush Munda @ Hawra** be released on bail upon furnishing 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, Siliguri subject to condition that he shall remain outside the jurisdiction of Naxalbari P.S. and shall furnish the address where he shall henceforth reside before the learned trial Court, investigating officer and the Officer in charge of the concerned P.S under whose jurisdiction he shall presently reside. He shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as stated above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is thus disposed of.

Case Diary be returned.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)