

11.09.2025
Court No.04
Item No.09
Subadip

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 283 of 2025

In Re: - An application for Bail under **Section 483** of the Code of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with P.T.N No. WBJP02P004392 of 2025 **N.J.P. G.R.P.S Case No. 58 of 2025 dated 18.07.2025** under Sections 105, 61(2), 3(5) of the BNS, 2023.
And

In the matter of: **Karan Kumar Jha @ Karan Kumar**

....PETITIONER

Ms. Rima Sarkar,
Mr. Sidhi Selthia,
Ms. Suparna Paul.

...for the Petitioner

Mr. Ujjwal Luksom,
Mr. Kallal Nag,
Mr. Chattu Roy.

....for the State

1. An application for bail is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with (P.T.N No. WBJP02P004392 of 2025) N.J.P. G.R.P.S Case No. 58 of 2025, dated 18.07.2025 under Sections 105, 61(2), 3(5) of the BNS, 2023.

2. It is said by the petitioner that he is completely innocent and has been falsely entangled with the offence alleged. He is in custody for more than 51 days. It is further contended by the learned Advocate that there is no witness to the incident for which it may be said that this accused petitioner was allegedly involved with the offence alleged. Moreover, one of the accused persons has already been enlarged on bail by this Court on 01.09.2025 and this accused petitioner stands on the same footing with the said bailed out

accused person. So, It is said that no purpose will be served by detaining further of this accused petitioner behind the bar for sake of custodial interrogation.

3. Learned Advocate for the State raises objection by submitting that there are sufficient incriminating materials in the record which show about prima facie involvement of this accused petitioner with the alleged offence. It is further contended that if at this stage this accused petitioner is enlarged on bail, then there is every possibility of hampering of further investigation of this case. So, it is said that the petition filed by this accused petitioner praying for bail may be rejected.

4. In the present case it is not in dispute that one of the accused persons namely Sanjeev Thakur @ Sandip Thakur has already been enlarged on bail by this Court on 01.09.2025. The role ascribed to the present accused does not stand on any materially different or aggravated footing when compared with those co-accused who have already been granted the benefit of bail. A comparative assessment of the allegations reveals that the nature, gravity, and extent of involvement attributed to the present accused is broadly similar and, in fact, not distinguishable in severity from that of the bailed-out co-accused. In such circumstances, the principle of parity assumes significance. When co-accused persons facing analogous allegations have already been found entitled to bail, the denial of the same relief to the present accused would amount to discriminatory treatment without any sound justification. This Court is therefore of the considered view that the case of the present accused stands on an equal footing with that of the similarly situated co-accused who have been enlarged on bail, and hence, the present accused too deserves to be extended the same benefit of bail on the ground of parity.

5. Accordingly, when other FIR-named accused person implicated in the same offence has already been enlarged on bail, there remains no justifiable ground to detain the present accused in custody any further. The principle of parity, coupled with the right to equality and personal liberty, strongly weighs in favour of granting bail to the accused.

6. Accordingly, **CRM (M) 283 of 2025** is **allowed**.

7. In view of above, the petitioner namely, **Karan Kumar Jha @ Karan Kumar** is enlarged on bail on furnishing a bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each, subject to the satisfaction of learned Chief Judicial Magistrate, Jalpaiguri and subject to the conditions that he shall meet the investigating officer once in a week until further order, shall not intimidate witnesses or tamper with evidence in any manner whatsoever and shall appear before the Trial Court on every date of hearing until further orders.

8. In the event of any violation of the conditions enumerated in the preceding paragraph, the learned Chief Judicial Magistrate, Jalpaiguri or the learned Trial Court shall be at liberty to cancel the petitioner's bail in accordance with law, without any further reference to this Court.

9. Urgent Photostat Certified Copy of this order may be supplied to the parties expeditiously, if applied for.

(PRASENJIT BISWAS, J.)