

04.07.2023.
D/L 36
Ct.No.28
SKB
(Allowed)

C.R.A. (DB) 137 of 2023

In Re:- An application for admission of appeal under Section 389(2) of the Code of Criminal Procedure.

In the matter of : Md. Zeeshan Akbar

.... appellant

Mr. Navanil De,
Md. Zeeshan Uddin,
Mr. Amrin Khatun

... for the appellant

Mr. Bhaskar Prosad Banerjee,
Mr. D. Tandon

... for the NIA

Appellant has challenged the order dated 25.04.2023 rejecting bail to him.

Learned counsel contends that the appellant stands on the same footing with co-accused who have been enlarged on bail.

Learned counsel for the NIA opposes the application.

We have considered the materials on record. Appellant stands on similar footing with co-accused who have been enlarged on bail.

Under such circumstances, we are inclined to extend the same relief to the appellant.

Accordingly, the appellant namely, Md. Zeeshan Akbar be released on bail upon furnishing a bond of Rs.50,000/-(Rupees fifty thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judge, City Sessions

Court, Calcutta subject to condition that the said appellant shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the appellants, while on bail, shall not enter the municipal limits of Kolkata except for the purpose of attending court proceedings and shall provide the address where they shall presently reside to the Investigating Agency as well as the court below and shall report to Check Pal Sehrawat, Dy. SP/CIO, National Investigating Agency having office at NIA, 15th floor, NBCC Square, Action Area-III, New Town, Kolkata-700135 once in a week until further orders.

In the event he fails to comply with any of the aforesaid conditions, the trial court shall be at liberty to cancel their bail in accordance with law without reference to this court.

The appeal is accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)