

09.10.2023
Sl. No.39
akd
[ALLOWED]

C. R. M. (DB) 3890 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.09.2023 in connection with Burrabazar Police Station Case No.96 of 2023 dated 09.04.2023 under Sections 302/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 304/341/323/114 of the Indian Penal Code. (G.R. Case No.382 of 2023)

And

In Re: **Adarsh Chowrashia @ Ankit**

... .. Petitioner

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett
Ms. Soumadipa Kanu

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Amita Gaur

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 170 days. Co-accused similarly circumsanced with the petitioner have been enlarged on bail/anticipatory bail. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail.
3. We have considered the materials on record. Co-accused similarly circumsanced with the petitioner have been enlarged on bail/anticipatory bail. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.
4. Therefore, the accused/petitioner, namely **Adarsh Chowrashia @ Ankit**, be released on bail upon furnishing a 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 Metropolitan Magistrate, Kolkata subject to

condition that the said petitioner 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.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)