

07
29.04.2025
Ct.No.34
b.das
Allowed

C.R.M. (DB) 894 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Ekbalpur P.S. Case No. 78 of 2012 dated 11.03.2012 under Sections 302/34 of the IPC and Sections 25(1)(a)/27 of the Arms Act.

And

In Re : **Koushar Alam @ Md Firoz @ Koiser @ Raju @ Sk. Raju @ Kaushar Alam** ... Petitioner.

Mr. Apalak Basu
Mr. Nazir Ahmed
Ms. S. Mridha
Mr. S. Kanjilal ... for the Petitioner.

Mr. Ranadeb Sengupta
Ms. Chandreyi Dutta ... for the State.

The petitioner is in custody for about 13 years and seeks parity with the co accused who are on bail.

Learned counsel for the State opposes the prayer and submits that trial is at its fag end. Co accused who are on bail have threatened witnesses for which a separate complaint has been lodged against them.

Considering the period of incarceration of the petitioner as well as the fact that the petitioner is similarly circumstanced with the co accused who have been granted bail earlier, this Court is of the view that the petitioner be entitled to the same benefit.

Accordingly, prayer for bail is allowed.

The petitioner namely **Koushar Alam @ Md Firoz @ Koiser @ Raju @ Sk. Raju @ Kaushar Alam** be released on bail upon furnishing bond of Rs.50,000/- (Rupees Fifty Thousand

only), with adequate sureties of like amount half of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Alipore, South 24 Parganas subject to condition that he shall remain outside the jurisdiction of Ekbalpur 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. The petitioner 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.)