

11.04.2025

Item No.DL37
Court No. 34
Asraf, AR(Ct.)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

CRM (M) 51 of 2025

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Nakashipara P.S. Case no.317 of 2024 dated 04.04.2024 under Sections 147, 148, 149, 326, 307 and 302 of the Indian Penal Code, 1860.

-and-

In Re : **Abu Bakkar Sekh**

.....Petitioner

For the Petitioner :

Mr. Ayan Basu
Mr. Sk. Salim
Mr. Sumit Routh

.....Advocates

For the State :

Mr. Ranabir Roychowdhury
Mr. Tirupati Mukherjee

.....Advocates

The petitioner claims to be on a better footing than the co-accused who were named by the wife and son of the deceased and have been granted bail earlier. The petitioner is in custody for more than 11 months. He is not named. There is no specific overt act attributed to him. Co-accused who are named by the wife and son of the victim are on bail.

Upon such consideration as well as in view of the period of detention of the petitioner, the prayer for bail is allowed.

The petitioner **Abu Bakkar Sekh** 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 Chief Judicial Magistrate, Nadia, subject to condition that he shall not enter the jurisdiction of Nakashipara Police Station except for the purpose of appearing before the learned Trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever. He shall provide the address where he shall presently reside before the learned Trial Court, Investigating Officer and the Officer-in-Charge of the concerned police station.

In the event the petitioner fails to comply with 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 accordingly disposed of.

Case diary be returned.

All parties shall act on the basis of 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 expeditiously after complying with all requisite formalities.

(Suvra Ghosh, J.)