

22.04.2025

Item No.DL28
Court No. 28
Asraf, AR(Ct.)

ALLOWED

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

CRM (A) 1228 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Baishnabnagar P.S. Case no.261 of 2023 dated 25.04.2023 under Sections 341, 323, 325, 326, 354, 307 and 506 read with Section 34 of the Indian Penal Code, 1860.

-and-

In Re : **ASADUL MIA @ ASHADUL MIA AND OTHERS**

.....Petitioners

For the Petitioners :

Mr. Md. Wasim Akram

.....Advocate

For the State :

Mr. Minoti Gomes

Mr. Prakash Mishra

.....Advocates

Learned counsel appearing on behalf of the petitioners claims parity with two other similarly circumstanced co-accused who were granted anticipatory bail by the successive Division Benches of this Court on 08.10.2024 in CRM(A) 3626 of 2024 and on 14.02.2025 in CRM(A) 480 of 2025.

Learned counsel appearing on behalf of the State submits that although there are grievous injuries inflicted on the victims, the present accused stand substantially on similar footing as the ones who were granted anticipatory bail by this Court.

On the ground of parity with other similarly circumstanced co-accused who were granted anticipatory bail

by Division Benches of this Court, I am inclined to allow the application for anticipatory bail.

Accordingly, the petitioners shall be released on bail upon furnishing bonds of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition not to threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and attend the jurisdictional Court on date fixed. The petitioners shall also stay outside the jurisdiction of Baishnabnagar Police Station for a period of six months from this date except for the purpose of attending the jurisdictional Court.

The application for anticipatory bail being **CRM(A) 1228 of 2025** is, thus, **allowed**.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)