

30.04.2025

Item No.DL54
Court No. 34
Asraf, AR(Ct.)

ALLOWED

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

CRM (M) 252 of 2025

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Howrah P.S. Case no.294 of 2024 dated 02.08.2024 under Sections 85, 109, 3(5) and 118(2) adding Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

-and-

In Re : **MD. MUSHTAQUE**

.....Petitioner

For the Petitioner :

Mr. Sk. Toslim Ali

Ms. Rituparna Bhadra

.....Advocates

For the State :

Ms. Subhasree Patel

Ms. Chandreyi Dutta

.....Advocates

The petitioner is in custody for eight months and seeks parity with co-accused who was granted bail earlier.

Learned counsel for the State opposes the prayer.

It appears that there is no eye witness to the alleged incident who saw the victim being pushed. The victim fell from a building under construction. The petitioner appears to be similarly circumstanced with the co-accused on bail and deserves the same benefit.

The prayer for bail is allowed.

The petitioner **Md. Mushtaque** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of which must be

local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah, subject to condition that he shall appear before the learned Trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned Trial Court on any date 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.)