

14.05.2025

Item No.50

Ct.No.34

rc.

Allowed

C.R.M. (M) 299 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Panskura Police Station Case No. 495 of 2019 dated 08.10.2019 under Sections 302/120B of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re : **SK. Taslim @ Arif @ Raja**

... Petitioner.

Mr. Ayan Bhattacharjee

Mr. Soumya Basu Roy Chowdhury ... for the Petitioner

Mr. Soumik Ganguly

... For the State

Mr. Soumya Nag

Mr. Aditya Tiwari

Ms. Namrata Chatterjee

... For the Victim

Heard learned counsels for the parties.

Petitioner is in custody for more than five years and seeks parity with the co-accused who are on bail.

In view of the fact that the petitioner is similarly circumstanced with the co-accused on bail, he deserves the same benefit.

Accordingly, prayer for bail of the petitioner is allowed.

The petitioner, **SK. Taslim @ Arif @ Raja**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Calcutta subject to condition that the petitioner shall remain within the jurisdiction of Hare Street Police Station except for the purpose of attending the court

proceedings on every date of hearing and shall meet the Officer-in-Charge/ Inspector-in-Charge of Hare Street Police Station once a week until further orders. The petitioner shall remain confined to the city of Kolkata after his release on bail and shall cooperate in trial of the case. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions mentioned 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. Also, if it is found that the trial is delayed at the instance of the petitioner due to either his non-cooperation or his learned counsel(s) indulging in unnecessary long cross-examination, their bail shall be liable to be cancelled.

The State is directed to cooperate with the learned trial Court by ensuring presence of all witnesses. The State shall also provide security/protection to witnesses if situation so arises.

The applications for bail is, thus, disposed of.

Case Diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)