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16.05.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 350 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Raina P.S. Case No. 292 of 2021 dated 23.10.2021 under Sections 302/307/201/120B/34 of IPC read with Sections 25 (1B)(a)/27(1) of the Arms Act.

And

In Re : **Md. Jawed Akhtar @ Jambo**

... Petitioner.

Mr. Uday Sankar Chattopadhyay
Ms. Trisha Rakshit
Ms. Aishwarya Datta
Ms. Sadia Parween ...for the petitioner.

Mr. Debasish Roy
Ms. Z. N. Khan
Ms. Eshita Dutta ...for the State.

Mr. Avik Ghatak
Mr. S. Balial
Mr. F. Imam ...for the de facto complainant.

Heard learned counsels for the parties.

The petitioner is in custody for 3 years and claims parity with co accused Md. Sohrab Ali who is on bail.

Learned counsel for the State opposes the prayer and submits that the petitioner has been identified in T.I. parade and was present at the place of occurrence when the alleged incident occurred.

I have considered the material on record. Bail prayer of the petitioner was turned down by this Court on 8th June, 2023 considering the material on record despite the fact that co accused Md. Sohrab Ali apparently standing on the same footing with the petitioner was granted bail on 14th October,

2022. Though such fact was not considered by this Court in turning down the petitioner's prayer, the petitioner, in fact, appears to be similarly circumstanced with Md. Sohrab Ali. Also, one of the alleged mastermind of the offence and co accused, Somnath Mondal was granted bail on 2nd September, 2024 on the touchstone of Article 21 of the Constitution of India.

This Court is informed that the prosecution proposes to examine 25 witnesses, out of whom two witnesses have been examined in full and the 3rd witness examined in part.

Considering the fact that the petitioner is similarly circumstanced with the co accused Md. Sohrab Ali in terms of the merits of the case and with co accused Somnath Mondal insofar as his period of incarceration is concerned, the petitioner is entitled to the same benefit.

Accordingly, the prayer for bail is allowed.

The petitioner **Md. Jawed Akhtar @ Jambo** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Purba Bardhaman subject to condition that he shall remain outside the jurisdiction of Raina P.S. and 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 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 thus disposed of.

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.)