

11.06.2025

42

jb.

jdt.

Allowed

C.R.M. (M) 449 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Asansol South Police Station Case No. 261 of 2019 dated 12.08.2019 under Sections 364A/120B of the Indian Penal Code and added Sections 302/201/34 of the Indian Penal Code.

And

In Re : Akash Sha

Mr. Ayan Basu
Sk. Salim

... For the Petitioner.

Ms. Amita Gaur
Ms. Baishakhi Chatterjee

... For the State.

The petitioner seeks parity with the co-accused who have been granted bail earlier on the touchstone of Article 21 of the Constitution of India.

Learned counsel for the State does not oppose the said fact.

Having regard to the fact that the petitioner is similarly circumstanced with the co-accused on bail in so far as the period of incarceration is concerned, this Court is of the view that he should be extended the same benefit.

Accordingly, the prayer for bail is allowed.

The petitioner namely Akash Sha shall 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, Asansol, Paschim Bardhaman

subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any 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 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.)