

18.09.2025

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jb.

jdt.

Allowed

C.R.M. (M) 1660 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 Airport Police Station Case No. 113/2025 dated 06.07.2025 under Sections 118(2)/109/3(5) of BNS.

And

In Re : Shayed Hossain Gazi @ Saeed Hossain Gazi and Anr.

Mr. Debasis Kar

... For the Petitioners.

Ms. Sima Biswas

... For the State

The petitioners are in custody for about 75 days and seek parity with co-accused Reshma Bibi who has been granted bail by this Court on 3rd September, 2025.

Learned counsel for the State submits that offending weapons were recovered at the instance of the petitioners. The injured witnesses have implicated the petitioners. They do not stand on the same footing as the co-accused who has been granted bail.

I have considered the material on record. The petitioners and the co-accused on bail assaulted the victim jointly. Offending weapons were recovered at the instance of the petitioners as well as the co-accused. Injured witnesses have named all three of them in their statement recorded under Section 161 of the Code of Criminal Procedure.

In view of the fact that the petitioners are similarly circumstanced with the co-accused who has been granted bail, they deserve the same benefit.

Accordingly, the prayer for bail is allowed.

The petitioners namely Shayed Hossain Gazi @ Saeed Hossain Gazi and Sahil Hossain Gazi @ Shaged Hossain Gazi shall 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 Additional Chief Judicial Magistrate, Barackpore, North 24 Parganas subject to condition that they shall meet the investigating officer once a week till completion of investigation.

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.)