

24. 20.02.2025.
Court
No.26 (Pritam)
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 4225 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Bhangore** Police Station Case No.**213/2017** dated **18.06.2017** under Sections **498A/406/302/304B/34** of the IPC, 1860 & Sections 3/4 of the D.P. Act.

And

In the matter of: - **Sk. Golam Mustafa @ Mostafa.** ...petitioner.

Mr. Uttam Kumar Halder ...for the petitioner.

Mr. Samim Ahamed,
Ms. Gulsanwara Pervinfor the *de-facto*.

Mr. Debabrata Chatterjee, Ld. A.P.P.,
Ms. Debjani Das Gupta ...for the State.

1. Petitioner, State and the *de-facto* complainant are represented.
2. Co-accused was enlarged on bail by invoking Article 21 of the Constitution of India in CRM (DB) 2662 of 2024 passed on October 7, 2024.
3. Petitioner is in custody in excess of 7 (seven) years. Out of 36 prosecution witnesses, only 7 were examined.
4. In such circumstances, on the ground of parity, we grant bail to the petitioner.
5. Accordingly, we direct that the petitioner, namely, **Sk. Golam Mustafa @ Mostafa.** shall be released on bail upon furnishing a

bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned *Additional District & Session Judge, Fast Track Court, Baruipur, South 24 Parganas*. The petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the local police station, until further orders.

6. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this court.
7. The application for bail being CRM (DB) 4225 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)