

30.06.2026

Item No.132

Ct.No.35

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 977 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Itahar Police Station Case No. 450 of 2022 dated 13.08.2022 under Sections 302/201/34 of the Indian Penal Code (G.R. Case No. 2112 of 2022).

And

In Re : **Asiruddin Ahamed @ Ashiruddin Ahammad @ Jathu @ Asiruddin Ahmed @ Jethu @ Asiruddin Ahammad**
... Petitioner.

Mr. Navanil De,
Mr. Srinjan Ghosh,
Ms. Monami Mukherjee

... For the Petitioner.

Mr. Gurudas Mitra,
Mr. Utsav Dutta

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 3 years 10 months and similarly placed accused person has been granted bail by the Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No(s). 325/2026.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that the present petitioner viz. Asiruddin Ahamed @ Ashiruddin Ahammad @ Jathu @ Asiruddin Ahmed @ Jethu @ Asiruddin Ahammad is not similarly situated as the other accused who has been granted bail by the Hon'ble Supreme Court.

Memo of Evidence submitted by the Investigating Officer of the case reflects that Sujauddin Ahmed @ Suvo (who has been granted bail by the Hon'ble Supreme Court)

and Nabab Ali cut the throat of the deceased while the present petitioner caught hold of the deceased. Having considered the facts portrayed by the Investigating Officer of the case, I am of the opinion that the present petitioner is not in a worse position than the person who has been granted bail by the Hon'ble Supreme Court. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Asiruddin Ahamed @ Ashiruddin Ahammad @ Jathu @ Asiruddin Ahmed @ Jethu @ Asiruddin Ahammad** shall be released on bail upon furnishing bond on such terms and conditions as the learned Trial Court deems fit and proper.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

The application for bail, being CRM (M) 977 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)