

19.02.2026

Item No.71

Ct.No.6

b.das

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 53 of 2026

In Re : An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mekhliganj Police Station Case No. 12 of 2024 dated 11.01.2024 under Sections 447/448/323/325/354/427/506/307/34 and added Section 302 of the IPC.

And

In Re : **Mojaffar Md. @ Mojaffar Hossain**

... Petitioner

Mr. Debasish Mukhopadhyay

Ms. Srishti Sarkar

Ms. Payel Chanda

... for the Petitioner

Mr. A. S. Chakraborty

Dr. Arjun Chowdhury

... for the State

The petitioner seeks parity with the co accused who has been granted bail by this Court earlier.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

Though the petitioner was initially absconding, he voluntarily surrendered before the learned Magistrate and was taken into custody. He is in custody since then.

In view of the fact that the petitioner is similarly circumstanced with the co accused who has been granted bail by this Court earlier, he deserves the same benefit.

Accordingly prayer for bail of the petitioner is allowed.

The petitioner Mojaffar Md. @ Mojaffar Hossain 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 Additional Chief Judicial Magistrate, Mechliganj, Cooch Behar subject to condition that he 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 mentioned 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 being C.R.M. (M) 53 of 2026 is disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)