

28.07.2026
Court No.35.
D/L. 4.
Kausik
(Rejected)

CRM (M) 1002 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Tamluk P.S. Case
No. 959 of 2024 dated 30.10.2024 under Sections
318(4)/316(2)/316(5)/61(2) of the BNS, 2023.

And

In the matter of : Sadik Hossain @ Sadik Hussain

.....Petitioner.

Mr. Sabir Ahmed
Mr. Quazi Ezaz Ahmed
Mr. Ayaan Bhattacharyya

.....for the Petitioner.

Mr. Kallol Mondal, PP
Mr. Subrata Mukherjee
Mr. Mayukh Mukherjee
Mr. Neel Chakraborty

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioner is in custody for 619 days and till date only 9
witnesses have been examined out of the 56 witnesses cited in
the charge sheet. Petitioner is associated and runs a cyber cafe
and has been irresponsibly implicated in the present case by
the investigating agency.

Additionally, it has been submitted that the bank
accounts wherein transactions are relied upon do not associate
the petitioner with such monetary trail and he has been foisted
without any factual foundation, both oral and documentary
evidences.

The trial of the case is to continue for some time and in similar cases, where the petitioner has been implicated, he has been granted bail.

Learned advocate for the State opposes the prayer for bail and submits that the present is a welfare scheme for the students of the West Bengal Government namely, 'Taruner Swapno Scheme' wherein the Government of West Bengal decided to handover electronic gadget to individual students for their upliftment. The prosecution has already submitted charge sheet and petitioner has been charged on number of counts. In respect of same set of events, petitioner is facing trial in four other cases. The prosecution apart from statements under Section 180 of BNSS has digitally placed materials to suggest the complicity of the petitioner.

It has been pointed out that there were deviations in respect of amounts allotted to 256 students and the total quantum is Rs. 25,60,000/- (Twenty Five Lakhs Sixty Thousand only).

Having regard to the manner in which the complicity of the petitioner prima facie appears from the prosecution papers, particularly the chain of events for obtaining the access details, allocation details along with other attending materials, I am of the opinion that without examination of the relevant witnesses, it would not be fit and proper to release the petitioner on bail considering the stage of the trial.

Accordingly, prayer for bail of the petitioner in CRM (M) 1002 of 2026 is **rejected** at this stage.

Report submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order 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.)