

22.10.2024
Sl. No.27
akd/AP
[ALLOWED]

C. R. M. (DB) 3572 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 07.10.2024 in connection with Itahar Police Station Case No.407 of 2022 dated 20.07.2022 under Sections 341/326/307 of the Indian Penal Code. (G.R. Case No.1927 of 2022)

And

In Re: ***Saddam Hossain @ Saddam Ali***

... .. Petitioner

Mr. Jisan Iqbal Hossain

... .. for the petitioner

Mrs. Sonali Das

Mr. Sobham Gani

... .. for the State

1. This is an application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in respect of Itahar Police Station Case No.407 of 2022 dated 20.07.2022 under Sections 341/326/307 of the Indian Penal Code.

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner is one of the seven accused against whom a charge sheet has been submitted, inter alia, under Sections 326/307 IPC. Out of them, four accused are on bail. The petitioner is in custody for about four months. Charge sheet has already been submitted.

3. Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for bail.

4. Considering the nature of allegations, the custody already undergone by the petitioner and the fact that four other co-accused are on bail, we are inclined to allow the petitioner's prayer for bail.

5. Therefore, the accused/petitioner, namely **Saddam Hossain @ Saddam Ali**, be released on bail upon furnishing a 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 Chief Judicial Magistrate, Raiganj, Uttar Dinajpur subject to conditions that during trial the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall meet the Officer-in-charge of the police station concerned once a week until further orders.

6. The application for bail, thus, stands allowed.

7. Criminal Section is directed to provide certified copy of this order, if applied for, to the parties upon completion of requisite formalities.

(Biswaroop Chowdhury, J.)

(Jay Sengupta, J.)