

14.02.2025
Item no.66.
Court No.29.
S. De
(Allowed)

CRM (DB) No. 111 of 2025

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 in connection with **Arambagh Police Station Case No. 329 of 2022** dated **14.11.2022** under **Sections 302/201/120B** of the Indian Penal Code.

And

**In the matter of : Sk Saddam Hossain @ Sk. Saddam.
.....Petitioner.**

Mr. Uday Sankar Chattopadhyay,
Mr. Rajashree Tah,
Ms. Trisha Rakshit,
Ms. Aishwarya Datta,for the Petitioner.

Ms. Minoti Gomes,
Mr. Tirupati Mukherjee,for the State

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for 2 years and 1 month. 10 witnesses have deposed till now for the prosecution. None of them have named this petitioner. In fact on the date of the alleged incident, the petitioner was in judicial custody in connection with another case. He has been implicated on the basis of the statement made by a co-accused person. He prays for bail.
2. Opposing the prayer, learned State counsel draws our attention to the material in the case record. Apart from the statement of co-accused person that the petitioner conspired to kill a witness of another

criminal case, there prima facie does not appear to be anything on record as of now.

3. On an overall assessment of the material-on-record and also considering the period of detention of the petitioner, we are of the view that further custodial detention of the petitioner is unnecessary.
4. Accordingly, we direct that the petitioner, namely, **Sk Saddam Hossain @ Sk. Saddam** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly subject to the condition, the petitioner shall not enter the jurisdiction of Pursurah Police Station except for the purpose of attending Court proceedings and shall furnish the address where he will be residing to the Inspector-in-Charge in whose jurisdiction he will be residing and the learned Trial Court as well while on bail and shall also appear before such Inspector-in-Charge once in every week, until further orders.
5. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)