

18
22.05.2025
Ct.No.34
b.das
Allowed

C.R.M. (DB) 1041 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Berhampore P.S. Case No. 2108 of 2024 dated 15.12.2024 under Sections 329(4)/64/351(3) of BNS, 2023.

And

In Re : **Saddam Sk. @ Hossain @ Saddam Hossain.**
... Petitioner.

Mr. Tapodip Gupta ... for the Petitioner.

Ms. Manisha Sharma
Mr. Debanik Das ... for the State.

Mr. Joy Chakraborty
Mr. Sandip Dinda ...for the de facto complainant.

Heard learned counsels for the parties.

The petitioner is in custody for more than 4 months and prays for bail.

Learned counsel for the petitioner submits that the de facto complainant was allegedly driven out of her matrimonial home and a complaint lodged under Section 498A of the Indian Penal Code is pending against the members of her matrimonial family. The petitioner being her brother in law (Nandai), the present complaint has been lodged out of previous grudge.

Learned counsels for the State and the de facto complaint oppose the prayer.

I have considered the material on record. Investigation has culminated in submission of charge sheet. Charges have been framed. Further detention of the petitioner is not

required and he may be granted bail subject to stringent conditions.

Accordingly, prayer for bail is allowed.

The petitioner namely **Saddam Sk. @ Hossain @ Saddam 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 Chief Judicial Magistrate, Berhampore, Murshidabad subject to condition that he shall not enter the jurisdiction of Berhampore P.S. except for appearing before the learned trial Court and shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as stated 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 for bail is thus disposed of.

Case Diary be returned.

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

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

(Suvra Ghosh, J.)