

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION

IA NO: CRAN/1/2025
IN
CRA (DB)/137/2025

In Re: An application for relaxation / modification of the condition of bail.

In the matter of: - **MD. IMADUL HOQUE**

Mr. Sabyasachi Banerjee, Sr. Adv.
Ms. Diksha Ghosh

...for the applicant.

Mr. Arun Kumar Maiti (Mohanty), Spl. PP, NIA
Mr. Bhaskar Prosad Banerjee, Spl. PP, NIA
Mr. Debayan Sen, Spl. PP, NIA
Mr. Debasish Tandon, PP, NIA
Ms. Deeba Nomani

...for NIA.

Dictated by Arijit Banerjee, J.

1. The applicant/appellant was granted bail by a co-ordinate Bench on August 26, 2025, *inter alia*, on the condition that he will not enter the jurisdiction of the local Police Station meaning thereby the Beldanga Police Station in the district of Murshidabad, save and except for attending the learned Trial Court on all the dates specified for hearing. The applicant now seeks relaxation of that condition.
2. The applicant says that he has been scrupulously adhering to all the conditions of bail. He further points out that as recorded in the order dated August 26, 2025, he had been initially granted bail by the jurisdictional Court on May 21, 2022. Such bail was cancelled on March 10, 2025 upon the National Investigation Agency (NIA) filing charge-sheet incorporating Section 18 of the Unlawful Activities

(Prevention) Act, 1967. Nothing has been placed on record to suggest that he misused the liberty between May 21, 2022 and March 10, 2025.

3. The applicant says that the charge was framed on July 14, 2025. Till date, not a single prosecution witness has been examined. Nobody knows when the trial will conclude. He should be allowed to visit his home within the jurisdiction of Beldanga Police Station.
4. We put on record the submission made on behalf of NIA that there has been no delay on the part of the prosecution in proceeding with the trial.
5. We see that on February 26, 2026, NIA had taken time to obtain instructions. No written objection to the present application has been filed. However, learned Advocate for NIA says that the charge against the applicant is grave. The time presently is very sensitive. At this time the applicant should not be allowed to enter the jurisdiction of Beldanga Police Station.
6. We have considered the rival contentions of the parties. We see that for about two years and 10 months i.e., between May 21, 2022 and March 10, 2025, the applicant was on bail and it is nobody's case that he misused the privilege in any manner. There is also nothing to suggest that he is not complying with the conditions of bail granted by the co-ordinate Bench on August 26, 2025. We also see that there is practically no likelihood of the trial concluding on an early date.

7. Considering the aforesaid facts and circumstances of the case, we allow the applicant's prayer to visit his home for two days on account of Eid. We clarify that he will go to his house on March 20, 2026 and shall return outside the jurisdiction of Beldanga Police Station on March 22, 2026. Before going home he will report to the Inspector-in-charge/Officer-in-Charge of Beldanga Police Station. He shall again report to the Beldanga Police Station while leaving the jurisdiction of Beldanga Police Station and thereafter, shall report also to NIA.
8. The applicant shall also be at liberty to exercise his voting right on April 23, 2026 by entering the jurisdiction of Beldanga Police Station, Murshidabad. However, he will enter the jurisdiction of Beldanga Police Station on April 23, 2026 and shall leave that jurisdiction on the same day. Insofar as general relaxation of the aforesaid condition is concerned, we are of the view that it will be appropriate to relax the condition only with effect from May 10, 2026 and we order accordingly. In other words, after May 10, 2026, the embargo on the applicant not entering the jurisdiction of Beldanga Police Station, Murshidabad, shall stand lifted.
9. All other conditions of bail shall remain unaltered.
10. The application being IA No: CRAN/1/2025 is accordingly disposed of.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)