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03.09.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 1194 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Panchla PS Case No. 100 of 2025 dated 11.04.2025 under Sections 64/77/351(3) of the BNS, 2023.

And

In Re : **Sk. Najir Hossain @ Sk Nazir Hossain @ Sk Nazir**
.. Petitioner.

Mr. Habibur Rahaman
Mr. Maidul Islam Kayal
Ms. Ayasha Najrin ... for the Petitioner.

Mr. Partha Pratin Das
Mr. Prakash Mishra ... for the State.

Mr. Archishman Singh
Mr. Noorul Amin Sardar ...for the de facto complainant.

Heard learned counsels for the parties.

The petitioner is in custody for about 92 days.

Learned counsel for the petitioner submits that there was a long standing relationship between the petitioner and the victim lady and the victim lady has subsequently prevaricated from the earlier statement recorded under Section 183 of the BNSS. The petitioner prays for bail.

Learned counsel for the State opposes the prayer.

Learned counsel for the de facto complainant submits that the victim lady has no objection if the petitioner is released on bail. She has no allegation against the petitioner. Written instruction submitted by the victim lady is taken on record.

I have considered the material on record. Though the victim initially implicated the petitioner in the alleged

offence, she has subsequently shifted from her earlier stance and has exonerated the petitioner. It appears from the call detail records that there was a long standing relationship between the parties and there were frequent conversations between them.

Considering the material on record, particularly the stand taken by the victim lady, this Court is inclined to hold that further detention of the petitioner is not required and he may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Sk. Najir Hossain @ Sk Nazir Hossain @ Sk Nazir** 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, Howrah subject to condition that he 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 appear before the learned trial Court on any date 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.)