

17.11.2025
Serial no. 14
[G.S.D]

CRM (M) 1275 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Special Case No. 09 of 2025 arising out of Suti PS Case No. 782 of 2023 dated 22/12/2023 under Sections 420/406/409/467 of the IPC, 1860 corresponding to charge sheet no. 201/25 dated 10.03.2025 under sections 120B/420/409/467/468/471 of the IPC.**

-And-

In the matter of : Abdul Seikh @ Abdul Sekh

... .. Petitioner(s)

Mr. Sandipan Ganguly, Sr adv.
Mr. Satadru Lahiri
Ms. Benajir Hasna
Mr. A. Islam
Mr. Sadid Haider

... for the Petitioner(s)

Mr. Rudradipta Nandy, Id. APP
Mr. Iqbal Kabir

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for 263 days and the check period is from 01.04.2021 to 31.03.2024. Learned advocate also submits that the petitioner was in office as a Panchayat Pradhan of Bahutali Gram Panchayat which was the subject-matter of the case.

It has also been contended on behalf of the petitioner that so far as the present case is concerned, his period of discharging official duties was from 01.04.2021 to 08.09.2021.

It has further been contended on behalf of the petitioner that the investigation of the case has already been

completed; charge-sheet has been submitted and charges have been framed. According to the learned advocate, there are 27 witnesses proposed to be relied upon by the prosecution and the evidence would continue from the next date so fixed.

On the other hand, Mr. Nandy, learned advocate for the State, submits that there are other accused persons who are in custody in connection with the instant case. Learned advocate again submits that the petitioner was in office from 17.09.2018 to 08.09.2021.

The subject-matter of the case involves defalcation to the tune of Rs.2.28 crore and the investigation agency as well as the prosecution has been exerting efforts for speedy completion of the proceeding before the learned trial court.

I have taken into account the submissions advanced by the parties and without entering into the zone whether any case has been made out or not, I am, *prima facie*, of the opinion that since the documents which the prosecution proposes to rely upon to prove its case are already in custody of the investigating agency; charge-sheet has been submitted; charges have been framed and there is no possibility of completion of the trial in near future as 27 witnesses are proposed to be examined, under such circumstances, further detention of the petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, Abdul Seikh @ Abdul Sekh shall be released on bail upon furnishing bond of Rs.20,000/-(Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the learned CJM, Berhampore.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned court. The learned trial court is granted liberty to impose any condition which it deems fit and proper for smooth progress of the trial of the case.

In case, there is any violation of the aforesaid conditions, the trial court would be at liberty to cancel the bail without further reference to this court.

Accordingly, CRM(M) 1275 of 2025 is **allowed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)

