

16.10.2025
Sl. 3
Ct.16
Allowed

CRM (M) 1694 of 2025

In Re:- An application for bail under Section 483 of the BNSS, 2023 in connection with BGR Case no.5989 of 2024 arising out of Maheshtala Police Station Case No.605 of 2024 dated 25.11.2024 under Sections 305(a)/331(4)/317(2)/249/316(4)/316(5)/54 of the BNS;

And

In the matter of : **Sk. Shoiyeb Hossain @ Sk. Syoib Hossain @ Sk. Soyaib Hossain**

.... Petitioner.

Mr. Saumya Nag
Mr. Aditya Tiwari

...for the Petitioner.

Mr. Bitasok Banerjee
Mr. Atanu Ghosh

...for the State

1. It is submitted by the learned advocate representing the petitioner that he is in custody for 319 days and he is in better footing than the co-accused, who has been enlarged on bail by the Coordinate Bench of this Court from whom articles were recovered and he is now the principal accused.
2. The learned prosecution, on the other hand, raises strong objection and draws attention of this Court to the fact that the present petitioner is the brother of the principal accused and from him huge amount of gold and cash amount has been recovered, more so, that the trial has been commenced and, accordingly, he prays for rejection of the petition.

3. Heard the submission. Perused the materials on record, the nature of offence alleged and that the trial has commenced and it is also alleged that because of the attribution by the petitioner/accused, there has been some delay in proceeding with the trial.
4. Be that as it may, considering the nature of the offence and the period of incarceration already undergone by the petitioner, this Court is inclined to grant bail in favour of the petitioner.
5. The petitioner shall be released on bail upon furnishing a bond of Rs.30,000/- (rupees thirty thousand) with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Alipore, South 24 Parganas subject to conditions that the petitioner shall remain within the jurisdiction of Maheshtala police station and shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. The petitioner shall not tamper with evidence or intimidate witnesses in any manner whatsoever.
6. In the event the petitioner fails to adhere to any of the conditions stated hereinabove, the learned 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 disposed of.
8. Case diary be returned.

9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
10. Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Chaitali Chatterjee (Das), J.)