

55.
29-10-2025
(ct. no.446)
debajyoti
(allowed)

CRM (M) 1799 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Bhagwangola Police Station Case No.423 of 2024 dated 18-08-2024 under Sections 126(2)/115(2)/117(2)/109/303(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

- A n d -

In the matter of : Saddam Hossain @ Saddam Sk.

.... Petitioner.

Mr. Somnath Adhikary

... For the Petitioner.

Mr. Mainak Gupta

... For the State.

1. The petitioner is in custody for more than 1 year 2 months 6 days. The petitioner has come for renewal of his prayer which was last turn down in the month of February, 2025. It is specifically submitted that the petitioner is not the principal accused and, no specific role has been ascribed . That apart that charge has not yet been framed in this case and no possibility of early conclusion of trial can be seen.

2. The prosecution raises objection but conceded to the fact that the present petitioner is not the principal accused person.

3. Heard the submissions of both the learned advocates .Perused the materials of record and the Case Diary ,the contents of the FIR and the statement made under Section 183 of BNSS . Considering the extent of complicity of the present petitioner coupled with the period of detention and the fact that there is remote possibility of an early

conclusion of the trial, this Court is inclined to allow the prayer of the petitioner for bail.

4. Accordingly, the petitioner be released on bail on the following conditions.

- a) The petitioner, namely, **Saddam Hossain @ Saddam Sk.**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad.
- b) The petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit any cognizable offence in any manner whatsoever.
- c) The petitioner shall appear before the Officer-in-Charge/Inspector-in-Charge of the local police station once in a week, until further orders.

5. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

6. The application for bail is, thus, **allowed**.

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

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

[Chaitali Chatterjee (Das), J.]