

13.11.2025
Court No.35.
D/L. 48.
Rakib
(Allowed)

CRM (M) 2257 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pukuria Police Station Case No. 678 of 2024 dated 06.12.2024 under Sections 103/61(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Md. Najmul Hoque

.....Petitioner.

Mr. Md. Wasim Akram

Ms. Sabrina Parveen

.....for the Petitioner.

Mr. Avishek Sinha

Ms. Afreen Begum

.....for the State.

Mr. Shraman Sarkar

Mr. Akram Reja

...for the de-facto complainant

Petitioner is in custody for more than eight months as submitted by the learned advocate appearing for the petitioner and additionally it has been contended that the investigation of the case has been concluded and charge-sheet has been submitted before the jurisdictional Court. Learned advocate also submits that so far as the complicity of the present petitioner is concerned the same is questionable and the principal accused persons are still absconding and evading the process of law for which the present petitioner unnecessarily languishing in jail.

Learned advocate appearing for the State opposes the prayer of bail and submit that the name of the petitioner is appearing in the statement of the child.

Learned advocate appearing for the de-facto complainant submits that a writ petition is pending before the Coordinate Bench.

Be that as it may, having regard to the period of detention of the present petitioner, I am of the view that further custody of the petitioner is unwarranted. Accordingly, the prayer for bail of the petitioner is allowed.

Petitioner namely, Md. Najmul Hoque shall furnish 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 Additional Chief Judicial Magistrate, Chanchal, Malda.

If on bail, the petitioner shall meet with the Officer-in-Charge/Inspector-in-Charge of Pukuria Police Station or any police officer deputed by him once in a fortnight till the stage of charges are over by the Sessions Court.

Accordingly, CRM (M) 2257 of 2025 is allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)