

D/L80

26.02.2025

Rohit

ct.no.26

C.R.M. (DB) 4395 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chanchal Police Station Case No. 369 of 2011 dated 22.11.2011 under sections 302/34 of the Indian Penal Code

And

In Re: **Saddam Hossain**

...Petitioner

Mr. Bibaswan Bhattacharya
Ms. Jenifar Alam Megha

...for the petitioner

Mr. Debasish Roy, Ld. P.P
Mr. Shiladitya Banerjee
Mr. Atanu Ghosh

...for the State

1. Bail of the petitioner is being opposed by the State on the ground that the petitioner absconded for ten years. It is also submitted that there are evidence in the case diary implicating the petitioner.
2. Petitioner is in custody for two years seven months.
3. Trial is in progress.
4. Out of fourteen prosecution witnesses seven were examined.
5. Apart from prosecution witness no.2 who said that the petitioner was along with the other co-accused were present when the incident took place, no prosecution witness ascribed any specific role so far as the petitioner is concerned.

6. In such circumstances, we deem it appropriate to grant bail to the petitioner.
7. Accordingly, we direct that the petitioner viz., **Saddam Hossain** shall be released on bail upon furnishing a 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 Additional Chief Judicial Magistrate, Chachal, Malda** subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
8. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.
9. The prayer for bail of the petitioner is **allowed**.
10. The application for bail being **C.R.M. (DB) No. 4395 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)