

**IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri**

**18.08.2025.  
14.  
Ct.No.04.  
as  
(Allowed)**

**C.R.M. (M) 220 of 2025**

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haldibari P.S. Case No.81 of 2025 dated 22.05.2025 under Sections 109/123/351(2)/3(5) of Bharatiya Nyaya Sanhita, 2023 corresponding to G.R. Case No.296 of 2025.

In the matter of : **Saddam Hossain @ Yakub Hossain.**  
.... Petitioner.

Mr. Debasish Mukhopadhyay,  
Ms. Srishti Sarkar.

...for the Petitioner.

Mr. Kallol Acharjee,  
Mr. Saikat Chatterjee.

...for the State.

1. This application has been preferred under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, BNSS) in connection with Haldibari P.S. Case No.81 of 2025 dated 22.05.2025 under Sections 109/123/351(2)/3(5) of Bharatiya Nyaya Sanhita, 2023 corresponding to G.R. Case No.296 of 2025.

2. Ms. Sarkar, the learned advocate representing the petitioner, submits that the petitioner has been in custody for 83 days. She argues that the victim had a crush on the petitioner and was pressuring him to get married. However, since the victim was a minor at the time, the petitioner refused. This refusal, according to Ms. Sarkar, prompted the victim who she claims is overly impulsive to attempt suicide by consuming poison. Ms. Sarkar contends that the petitioner has been falsely implicated in the case with the allegation that he forced her to

consume the poison. She, therefore, prays for the grant of bail to the petitioner.

3. Mr. Acharjee, learned Advocate representing the State, produces the case diary. Based on the materials available in the case diary, he opposes the prayer for bail.

4. Heard the learned Advocates appearing for the respective parties and perused the materials on record including the case diary.

5. After the incident, the petitioner was admitted in a private hospital. Perused the medical report. Petitioner is under incarceration for 83 days. The incident allegedly occurred in presence of direct evidence. So, taking note of this fact, I am of the view that further detention of the petitioner will not serve any purpose.

6. In view of the above, the petitioner, viz., **Saddam Hossain @ Yakub Hossain**, may find bail of Rs. 10,000/-, with two sureties of Rs. 5,000/- each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj, Cooch Behar, one of which must be local, subject to the condition that the petitioner shall meet the Investigating Officer once in a week until further orders and he shall appear before the trial court on every date of hearing until further orders, and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

7. In the event the petitioner fails to appear before the trial court without a justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law, without any further reference to this Court.

8. This application for bail is, thus, disposed of.

**(Partha Sarathi Chatterjee, J.)**