07.10.2025
Sl. No. 8
Court No.550
Rohan
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

C.R.M.(M) 2330 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raghunathganj Police Station Case No. 559 of 2026 dated 12.05.2026 under Sections 105/126(2)/351(2)/115(2) of the Bharatiya Nyaya Sanhita, 2023.

-And-

In the matter of: Sabir Ahamed @ Sabir Sk.

...Petitioner

Mr. Milon Mukherjee, Sr. Adv.
Mr. Usof Ali Dewan
Mr. Asif Dewan
Mr. Mehedi Masud

...for the Petitioner

Mr. Sagar Saha
Ms. Nayana Mukhopadhyay

... for the State

1. Report submitted by the learned advocate for the State is kept with the record.
2. Learned counsel for the petitioner has submitted that investigation is complete and further, he has drawn the attention of this Court to the post-mortem report contending that this cannot be a ground for attracting Section 105 of the BNS. The cause of death was kept pending till the availability of the Viscera report.
3. Learned counsel for the State opposes the prayer for bail. He has drawn the attention of this Court to the statement of the eye witness recorded under Section 161 of the Cr.P.C., wherefrom, it is found that the victim was assaulted by the concerned persons.

He has also drawn the attention of this Court to the statement of the doctor recorded under Section 180 of the BNSS.

4. It appears from the record that investigation is complete as per the submission of the learned counsel for the State. There are 20 witnesses and the trial has not begun.

5. In view of the above, there is no chance of an early conclusion of the trial and the petitioner may be enlarged on bail on the following conditions.

6. Accordingly, the application for bail of the petitioner, namely, **Sabir Ahamed @ Sabir Sk.** is **allowed**.

7. I direct the petitioner will 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 a local, to the satisfaction of the learned ACJM, Jangipur, Murshidabad. The petitioner shall appear before the trial court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall not leave the jurisdiction of Raghunathganj Police Station except for the purpose of attending Court.

8. In the event, the petitioner fails to comply with any of the conditions as stated above, the learned Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

9. Thus, the application for bail being **C.R.M. (M) 2330** of **2026** stands **disposed of**.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Hon'ble Court.

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

(Apurba Sinha Ray, J.)