

27.02.2026

Item No.61
Ct.No.35
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 1796 of 2025

**The State of West Bengal
versus
Saddam Molla @ Mollya @ Molya @ Babu & Anr.**

In Re: An Application for cancellation of bail under Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Mr. Debasish Roy, Ld. PP,
Ms. Sreyashee Biswas,
Ms. Puja Goswami ... For the Petitioner.

Mr. Sk. Anwar Ali,
Ms. Ruma Bera ... For the Opposite Party No.1.

The order dated 09.09.2025 granting bail to the accused Saddam Molla on the grounds that charge-sheet has been submitted and further detention is not necessary for any practical purpose is not a complete reasoning for granting bail. It has been informed that charge-sheet was submitted on 13.06.2025. The Special Act under Section 35 prescribes a limited period within which the victim is to be examined and in spite of the same, I find that in the order dated 09.09.2025 after granting bail, date has been fixed on 23.03.2026 for appearance and supply of copy. The legislature in its wisdom has thought for stringent provisions to be incorporated in respect of certain offences.

In this case also I find that the statement under Section 164 of the Code of Criminal Procedure or under Section 183 of the BNSS and the medical report which has been furnished do corroborate in some material particulars. It would have been better if the learned court had taken the

same into consideration while granting bail or assigned reasons to overcome the said acts of the accused. However, having considered the present set of circumstances prevailing and no supervening circumstances existing pursuant to the accused/opposite party no.1 being released on bail, I am not inclined to interfere with the order of bail.

However, as the trial has not commenced till date and the deposition of the witnesses is yet to commence, I direct that the accused/opposite party no.1 herein would meet with the Investigating Officer or any officer deputed by the Inspector-in-Charge/Officer-in-Charge, Bijayganj Bazar Police Station once in a week till the evidence of the vulnerable witnesses is over in this case.

The accused/opposite party no.1 also shall not enter the jurisdiction of Bijayganj Bazar Police Station except for the purposes of attending the police station and for the purposes of the court proceedings.

The accused/opposite party no.1 will inform his address where he would be residing to the learned Special Court as well as the Inspector-in-Charge/Officer-in-Charge, Bijayganj Bazar Police Station within a week from date.

If there are any supervening circumstances complained of, the learned Special Court would seriously consider the continuation of the bail of the present petitioner and without reference to this Court would cancel the bail.

With the aforesaid observations, the application for cancellation of bail being CRM (M) 1796 of 2025 is disposed of.

All concerned parties shall act on the server copy of this order duly 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.)