

09.04.2026
Court No.35.
D/L.30.
Rakib
(Allowed)

CRM (M) 2331 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 Basirhat Police Station case no. 911 of 2024 dated 16.12.2024 under Sections 14A(b) of the Foreigners Act and under Section 12 of the Passport Act.

And

In the matter of : Najmul Gazi @ Md. Nazmul Islam Gazi @ Md. Najmul Gazi.

.....Petitioner.

Mr. Satadru Lahiri
Mr. Safdar Azam

.....for the Petitioner.

Mr. Anupam Das Adhikary
Ms. Nahid Ahmed

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody since 16th of December, 2024 and till date only charge has been framed and no witness action has commenced. Prosecution has relied upon 8 witnesses to prove its case.

Learned advocate for the State opposes the prayer for bail and submits that the police authorities have cross-checked regarding the lineage of the present petitioner and found the same to be non-existing.

Controverting such contention, learned advocate for the petitioner submits that petitioner has been enrolled in the recent electoral role pursuant to the Special Intensive Revision (SIR).

Be that as it may, the report of the police authorities states otherwise.

Petitioner is in custody for more than 15 months. The sentence prescribed for which the petitioner is charged is for term imprisonment. Having considered that there is less scope of the trial being concluding very soon, I am inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, petitioner namely, **Najmul Gazi @ Md. Nazmul Islam Gazi @ Md. Najmul Gazi** shall be released on bail upon furnishing 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, Basirhat, North 24 Parganas.

If on bail, petitioner shall meet with the Officer-in-Charge /Inspector-in-Charge or any officer deputed by him of Basirhat Police Station once in a week for the next one year.

With the aforesaid observations CRM (M) 2331 of 2025 is **allowed**.

Report submitted by the State be kept with the record.

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.)