

16.02.2026
Serial no. 255
[G.S.D]

CRM (M) 2566 of 2025

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with GR No. 2978 of 2010 arising out of Nakashipara Police Station Case No. 629 of 2010 dated 28.10.2010 u/s 326/307/34 of the IPC.

-And-

In the matter of : Sahabuddin Sk @Khapa

... Petitioner(s)

Mr. Santanu Talukdar
Mr. Priyankar Ganguly
Ms. Shalini Bairagi
Ms. Pipasa Chakraborty

... for the Petitioner(s)

Mr. Bidyut Kumar Roy, Sr Adv.
Mr. Ashok Das

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner was earlier facing trial in connection with Sessions Trial No. 4(6) 2018 arising out of Nakashipara Police Station Case No. 248 dated 12.06.2009.

Learned advocate also submits that when he was facing the trial in the said case, the process so far as the present case is concerned, was not executed and, consequently, warrant of arrest remained pending. Thereafter, the petitioner was acquitted of the charges and he surrendered before the concerned jurisdictional court and was taken into custody.

Learned advocate has also drawn the attention of the court to the order of the Hon'ble Division Bench in CRA 576 of 2018 wherein he along with the others were acquitted of the charges.

However, the petitioner is in custody for more than eight months.

Learned advocate for the State, on the other hand, vehemently opposes the prayer bail.

I find that the case is of the year 2010. The petitioner was facing the trial in another criminal case, he was acquitted on 30th April, 2024 and, surrendered on May, 2025.

Having considered the fact that there is no possibility of the trial concluding in the near future, I am of the view that further detention of the present petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Sahabuddin Sk @Khapa** 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 Chief Judicial Magistrate, Krishnagar, Nadia.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned court *in seisin* of the case and shall not leave the district of Nadia without prior intimation to the learned court *in seisin* of the case.

Accordingly, CRM(M) 2566 of 2025 is **allowed**.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)