

District: Purba Bardhaman.

In the Court of the Sessions Judge, Purba Bardhaman, at Burdwan.

Present: Sri Bimal Kanti Bera (WB00681)
Sessions Judge, Purba Bardhaman at Burdwan
District – Purba Bardhaman

Criminal Misc. Case No. 2067 of 2026

(CNR NO. WBBD 01 003774-2026)

Sk. Safikul Haque @ Sk. Safikul Haque - versus- The State

Order no. 02 dated 21.07.2026:

The application for bail under Section 483 of B.N.S.S.(formerly 439 of Cr. P.C.), filed on behalf of the accused petitioner namely Sk. Safikul Haque @ Sk. Safikul Haque, in connection with Burdwan P.S. Case No.958 of 2025 dated 15.09.2025 under Sections 318(4)/351(2) of B.N.S., is taken up for hearing.

Record of concerned G.R. Case has been received. C.D. is produced.

Heard the Learned Advocate for the petitioner and Learned P.P-in-Charge.

Perused the materials on record and in C.D.

The Learned Advocate for the petitioner submits that no specific date of lending money or date of demand for repayment or date of issuing cheque are mentioned in the written complaint. The petitioner after making complaint to the police also initiated a private complaint case under Section 138 of the N.I. Act. The petitioner cannot pursue two remedies at the same time. Though it is alleged in the written complaint that the cheque was dishonoured but the said incident took place after filing of the complaint of this case. The Learned Advocate for the petitioner further submits that no such application of the petitioner has either been moved or rejected by the Hon'ble Court. He prays that the petitioner may be released on bail on any condition as this Court deems fit and proper.

Learned P.P. raises mild objection.

The learned Advocate for the complainant appears by filing Vokatnama and opposes the prayer for bail and submits the petitioner knowingly that he has no sufficient funds in the account, issued the cheque for the purpose of defrauding the complainant.

It is stated that the petitioner borrowed a sum of Rs.5,50,000/- on the plea of purchasing merchandise with promise to payback the same within two months. When the complainant demanded repayment, he issued a cheque of Rs.4,50,000/-. The cheque was dishonoured.

The I/O of the case has collected copy of the cheque apparently drawn by the petitioner and other banking documents including the Cheque Return Memo. dated 17.09.2025. F.I.R. in the present case was registered on 15.09.2025.

Considering the facts and circumstances of the case, materials in C.D., custodial interrogation of the petitioner does not appear to be necessary. Accordingly, the prayer for bail is allowed.

The accused petitioner named above, may be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of Rs.5,000/- each subject to the satisfaction of Learned Chief Judicial Magistrate, Purba Bardhaman and

on condition that he shall meet the I/O of the case once in a week till completion of investigation.

Record of G.R. Case be sent back together with a copy of this order to the concerned Court for information.

C.D. be returned.

Instant Criminal Misc. Case is thus disposed of.

Dictated & corrected by me

Sessions Judge,
Purba Bardhaman,

Sessions Judge,
Purba Bardhaman