

NIA CASE NO. 05 OF 2022
CNR NO.WBCS01-001032-2022

Present: Sri Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB00590

Order No. 07 dated 10.09.2025

1. To day is fixed for hearing of the two bail petitions dated 28.08.2025 filed on behalf of the accused persons, namely, Sukchand Ali @ Sukchand Sk, Masadul Sk @ Masadul Sk @ Masadul Haque & Md. Tahabul Sk and Mansur Seikh @ Mansur Sk @ Manchur Ali along with two written objections dated 09.09.2025 filed by the NIA.
2. Ld. Advocates for the accused persons as well as Ld. Special Public Prosecutor of NIA are present.
3. Now, the bail petitions dated 28.08.2025 in respect of accused persons namely Sukchand Ali @ Sukchand Sk, Masadul Sk @ Masadul Sk @ Masadul Haque & Md. Tahabul Sk are taken up for hearing.
4. Ld. Advocate for the above named accused persons prays for bail of the accused/petitioner on the following grounds that :
 - i. the accused persons are in custody for a considerable length of time;
 - ii. they are innocent and the allegations leveled against them are absolutely vague and improbable;
 - iii. Charge sheet has already been submitted in this case;
 - iv. there is no immediate chance of completion of trial and
 - v. other co-accused person namely Md. Imadul Haque has already been liberated on bail by the Hon'ble High Court at Calcutta vide CRA(DB) 137 of 2025 and these accused/petitioners are on the same footings.
5. In support of his contention, he has placed his reliance upon the order passed by the Hon'ble High Court at Calcutta vide CRA(DB) 137 of 2025.
6. Countering such submissions, Ld. Special Public Prosecutor opposes the bail prayer on the grounds that :
 - i. these accused persons are directly involved in this case;
 - ii. these accused persons committed the offence hand in glove with each other;
 - iii. these accused persons are not in the same footings with that of the accused Md. Imadul Haque who has already been liberated on bail by the Hon'ble High Court at Calcutta and
 - iv. if they are released on bail then the trial will be hampered and there is every chance of tampering of evidence.
7. I have carefully perused the petition as well the case record including the charge sheet.
8. I have also perused the order passed by the Hon'ble High Court at Calcutta vide CRA(DB) 137 of 2025.
9. It appears that previously these accused persons were on bail granted by the Ld. District and Sessions Judge, Murshidabad and thereafter, the prayer for cancellation of bail of these accused persons filed by the prosecution was allowed by this court.

10. It also appears from the record that there is no immediate chance of conclusion of trial, as there are hundreds of prosecution witnesses, and the accused persons have been languishing in custody for a considerable length of time.
11. On careful perusal of the order passed by the Hon'ble High Court at Calcutta vide CRA(DB) 137 of 2025, it appears that the accused Md. Imdadul Haque was liberated on bail.
12. In CRA(DB) 137 of 2025 the Hon'ble Court observed:
- “32. All forms of public disorder therefore, cannot be classified as one which is threatening the safety and security of the nation. Distinction has to be therefore, drawn between a public disorder calculated to endanger the security of the nation and the public disorder of a purely local significance”.*
- “36. In the facts and circumstances of the present case, the materials in the case diary does not suggest that, the appellant before us was involved in any subversive activities with regard to the unity, integrity, security including economic security and sovereignty of India. Therefore the rigours under Section 43D of the Act of 1967 may be attracted”.*
- “40. Investigating agency has completed the investigations and submitted charge sheet before the jurisdictional Court. We are informed that the jurisdictional Court has framed charges as against the appellant”.*
- “41. There is hardly any likelihood of the trial concluding any time soon given the number of witnesses that the prosecution proposes to examine, even after assuming that the prosecution will drastically reduce the number of witnesses cited in the charge sheet”.*
13. Considering the facts and circumstances of the case and also considering the period of detention of the accused persons as well as observation of the Hon'ble Court in CRA(DB) 137 of 2025, I am of the view that if the accused persons namely Sukchand Ali @ Sukchand Sk, Masadul Sk @ Masadul Sk @ Masadul Haque & Md. Tahabul Sk be released on bail subject to certain conditions, it will meet the ends of justice.
14. Accordingly, the prayer for bail of the accused persons Sukchand Ali @ Sukchand Sk, Masadul Sk @ Masadul Sk @ Masadul Haque and Md. Tahabul Sk stands **allowed**.
15. The accused persons Sukchand Ali @ Sukchand Sk, Masadul Sk @ Masadul Sk @ Masadul Haque and Md. Tahabul Sk be released on bail upon furnishing bond of Rs. **50,000/-** each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Calcutta i.d. to J/C till 11.09.2025, subject to the following conditions that –
- i. that they will appear before this Court on each and every date of hearing;
 - ii. they will not intimidate the witnesses and/or tamper with evidence in any manner whatsoever;
 - iii. they will not enter into the jurisdiction of the local Police Station, save and except for attending this court on all the dates specified for hearing.
 - iv. they will inform the Officer in Charge of the local Police Station as well as the Officer in Charge of the Police Station under whose jurisdiction they reside.
 - v. they will provide their phone numbers and present addresses to the Investigating Officer and Officer in Charge of local Police Station.
16. To date i.e. on **11.09.2025** for appearance of the accused persons Sukchand Ali @ Sukchand Sk, Masadul Sk @ Masadul Sk @ Masadul Haque & Md. Tahabul Sk if they avail the opportunity of bail.
17. Now, bail petition dated 28.08.2025 filed on behalf of the accused person Mansur Seikh @ Mansur Sk @ Manchur Ali is taken up for hearing.

18. Ld. Advocate for the above named accused prays for bail of the accused/petitioner on the following grounds that:

- i. this accused person is in custody for about two years;
- ii. he is innocent and the allegations leveled against him are absolutely vague and improbable;
- iii. Charge sheet has already been submitted in this case;
- iv. there is no immediate chance of completion of trial and
- v. other co-accused person namely Md. Imadul Haque has already been liberated on bail by the Hon'ble High Court at Calcutta vide CRA(DB) 137 of 2025.

19. Countering such submissions, Ld. Special Public Prosecutor opposes the bail prayer on the grounds that :

- i. this accused is directly involved in this case;
- ii. this accused is the main conspirator of the offence;
- iii. this accused procured the explosives in furtherance of his subversive activities;
- iv. this accused committed the offence hand in glove with each other;
- v. this accused is not in the same footings with that of the accused Md. Imadul Haque who has already been liberated on bail by the Hon'ble High Court at Calcutta and
- vi. if he is released on bail then the trial will be hampered and there is every chance of tampering of evidence.

20. I have carefully perused the petition as well the case record including the charge sheet.

21. I have also perused the order passed by the Hon'ble High Court at Calcutta vide CRA(DB) 15 of 2024.

22. The Hon'ble Court vide CRA(DB) 15 of 2024 observed:

“the incident is serious in nature with a person succumbing to bomb blast injuries and several others suffering injuries. Petitioner is alleged to be involved in the fabrication of such bombs when the blast took place.

Considering the gravity of the offence and the involvement of the petitioner in the incident, we are not inclined to grant bail to the petitioner”.

23. It also appears that the Hon'ble High Court at Calcutta has already rejected the bail prayer of this accused vide CRA(DB) 15 of 2024.

24. Considering the gravity of the offence and involvement of the accused in the offence in question and in view of the observation of the Hon'ble Court in CRA(DB) 15 of 2024, I am not inclined to allow the prayer for bail of the accused Mansur Seikh @ Mansur Sk @ Manchur Ali.

25. Accordingly, the prayer for bail of the accused person namely **Mansur Seikh @ Mansur Sk @ Manchur Ali** stands **rejected**.

26. To date i.e. on **11.09.2025** for production of the accused persons and evidence.

27. Let a copy of this order be sent to the Ld. Chief Judicial Magistrate, Calcutta for his information.

D/C by me.

Sd/-

Chief Judge
City Sessions Court, Calcutta

Sd/-

Chief Judge
City Sessions Court, Calcutta