

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.791/2026
CNR WBUD01-001405/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
04/03.07.2026

This application for bail u/s 483 of B.N.S.S filed on behalf of present accused/petitioner **Saddam Hussion** in connection with Kaliyaganj P.S. Case No.221/2026 dated 07.05.2026 vide GR 1099/2026 u/s 85/115(2)/109(1)/3(5) B.N.S r/w sec.3 /4 D.P. Act is taken up for hearing.

Learned Advocate for the accused/petitioner by filing an affidavit submits that no such application u/s 483 of B.N.S.S is pending in this Court or before the Hon'ble Higher Courts prior to this application.

On query, Ld. Public Prosecutor submits that there is no reflection in the CD that there is any bail application either pending or rejected by the Hon'ble Higher Courts and IO also did not intimate him that any bail application is pending or rejected by the Hon'ble Higher Courts.

Ld Advocate for the accused/petitioner submits that this accused is the husband of the victim. He was attested in connection with the case and is in custody for over 60 days now. The investigation has proceeded to a great extent. The co-accused persons are already on bail. Ld Advocate further argued that during this period in which the accused remains in custody, no prayer for PC or any other purpose was made by the investigating agency. Further detention of this accused in custody is not required at the stage of investigation. Ld Advocate, accordingly, prayed for bail on any condition.

Ld Public Prosecutor raised objection and submitted that there are materials in the CD against the accused. Further detention of the accused in custody is necessary in the interest of proper investigation. Ld PP accordingly prayed for rejection of bail application.

Ld Advocate for the de facto complainant submitted that the allegation against the accused is severe. He had administered poison to the victim. If this accused gets bail at this stage, he will try to influence the victim. Ld Advocate accordingly prayed for rejection of bail application.

Perused the FIR and other relevant documents available in the case record. Perused the CD including statement of witnesses recorded u/s 180 B.N.S.S. Also perused the statement of the victim recorded u/s 180 B.N.S.S.

Considering such statements and considering the injury report, it appears that there certain ingredients against this accused which point towards the allegation for offence punishable u/s 109 B.N.S. But on the other hand, it can be found that the accused has been in custody for more than 60 days. Detaining this accused in custody does not serve any further purpose of investigation.

(Contd.....)

So, the question that remains is whether further detention in custody is necessary for some other purpose.

In view of the present facts and circumstances, I find that further custodial detention may not be considered necessary. The accused may be granted the benefit of bail but on conditions.

Accordingly, considering the period of detention in custody and considering the fact that further detention is not necessary in the interest of investigation, prayer for bail u/s 483 B.N.S.S is hereby considered and allowed.

Accused/petitioner namely **Saddam Hussion** may find bail of Rs.10,000/- with one surety of like amount, subject to the satisfaction of Ld C.J.M, Uttar Dinajpur at Raiganj and with condition that the accused shall meet the IO every alternative day till further orders. He shall not try to meet the victim or any other witness related to this case and shall not try to influence the victim or the witnesses. He shall co-operate with investigation in every manner.

Thus, the Criminal Misc Case is disposed of accordingly. Return LCR & CD.

Let a copy of this order be sent to Ld C.J.M, Uttar Dinajpur for information and necessary action.

Dictd. & cortd.

S.J-in ch.

Sessions Judge-in ch, U/Dinajpur.