

03.07.2025
Sl. No. 12
Court No.3
Arsad,(ARCR)

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

In Re: An application for modification/relaxation of Conditions of Bail under Section 483(1)(b) of Bharatiya Nagarik Suraksha Sanhita, 2023.

CRM(M)/28/2025
IA NO: CRAN/1/2025

In the matter of: Md. Salaudin and Anr.

Mr. Saikat Chatterjee,
Ms. Purbasha Sarkar,
.... For the petitioner.

Mr. Debjit Kundu,
.....For the de facto complainant

Mr. Ujjwal Luksom,
Mr. Chattu Roy,
....for the State

This is an application seeking relaxation of condition of the bail granted by an order passed on April 09, 2025 in CRM(M)/28/2025. By the said order, the petitioners were granted bail by this Court subject to the conditions that the petitioner shall not enter the jurisdiction of the NJP Police Station and shall meet the O.C./I.C. of the Police Station twice in a week where he will reside and shall not meet the *de facto* complainant and the persons acquainted with the facts of the case until further orders. Such conditions were in addition to the condition that the petitioners shall appear before the Trial Court on every day of substantive hearings subject to the provisions of Section 317 of the Code of Criminal Procedure and shall not intimidate the witnesses and evidence in any manner whatsoever.

It has been submitted on behalf of the petitioner that the investigation of the case has already ended in charge-sheet and two of the accused persons are still absconding. It is further submitted that father of the petitioner is seriously ill and daughter of the petitioner no. 2 named Md. Alauddin is also suffering from medical conditions which is required to be attended by the petitioners. Learned advocate for the petitioners relied upon medical documents annexed to the application. Learned advocate for the petitioner also submits that the other accused Md. Hafiz and Sarfaraj were granted bail subsequently without any such condition to meet the O.C./I.C. of the Police Station of their residence. He placed the specific condition to meet the O.C./I.C. of the concerned Police Station twice in a week and the condition that they will not enter the jurisdiction of NJP Police Station.

Learned advocate for the State submits that the investigation of the case has already culminated into charge-sheet as against the present petitioners as well as others of whom, two are still absconding.

Considering the fact that the investigation of the case is already concluded though, two of the accused persons named in such charge-sheet are yet to be brought on record, the case is still running at the stage of appearance of the accused persons before learned Jurisdictional Court. There appears no allegation of any intimidation on the part of the petitioners upon the *de facto* complainant or the other witnesses acquainted with the facts and circumstances of the case.

In such circumstances, I am declined to allow the present petition. The condition of bail as contained in the order dated April 09, 2025 passed in CRM(M)/28/2025, specifically the condition that the

petitioner shall not enter the jurisdiction of the NJP Police Station and shall meet the Inspector-in-Charge of the Police Station twice in a week are hereby waived.

All other conditions in the order dated April 09, 2025 shall remain the same.

CRAN/1/2025 is accordingly disposed of.

(MD. SHABBAR RASHIDI, J.)