

In the Court of the Sessions Judge, South 24-Parganas, Alipore

Criminal Misc. Case No. 2361 of 2026

Present : Sri Souvik De, (WB01069) Sessions Judge-in-charge,

South 24 Parganas at Alipore

Order No. 03, dated 07.07.2026

The application u/s 482 of B.N.S.S. Act, 2023 (sec.438 Cr.PC.) filed by the accused/petitioner, namely, **Pradip Banerjee**, who apprehends arrest, in connection with, **Baruipur P.S. Case No. 511/2026, U/s. 318(2)/316(2) of BNS**, is taken up for hearing.

Learned Advocate for the accused/petitioner submits that no such application u/s 482 of B.N.S.S. Act, 2023 (sec.438 Cr.PC.) is filed, pending or rejected before the Hon'ble High Court at Calcutta prior to this application.

Ld. Advocate for the accused/petitioner has submitted that the present accused/petitioner is in no way involved in the alleged offence and he has been falsely foisted in this case. He has submitted that taking advantage of the dispute between the married couple, the present case has been initiated by the wife of the present accused/petitioner. He has prayed for anticipatory bail on behalf of the accused/petitioner on any condition.

On the other hand, Ld. P.P.-in-charge has produced the case diary and raised objection against the instant anticipatory bail application, by submitting that there are sufficient materials in the CD to attract Sections 318(2)/316(2) of BNS against the present accused/petitioner and accordingly, the present accused/petitioner does not deserve the lenity of anticipatory bail.

Heard the submissions of the Ld. Advocates for both sides.

Perused the C.D.

On perusal of the CD, I do find that there are sufficient materials to prima-facie draw the ingredients of Sections 318(2)/316(2) of BNS against the present accused/petitioner. The prima-facie ingredients of the said sections are well transpiring from the statements so recorded u/s 180 of BNSS of the witnesses. Having regard to all, I am not inclined to enlarge this accused/petitioner on anticipatory bail.

Accordingly, prayer for anticipatory bail of the present accused/petitioner u/s 438 Cr.P.C./482 BNSS stands rejected.

Thus, the criminal misc. case is disposed of accordingly.

Return the CD.

D/c by me

Sd/- S. De
Sessions Judge, I/c

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Sessions Judge, I/c