

In the Court of the Ld. Sessions Judge, Birbhum at Suri.

Cr. Misc. Case No.124 of 2026

(CNR No. WBBB-01-000346-2026)

Present :- Md. Ehteshamuddin (JO Code WB00962)

Sessions Judge, Birbhum (In-charge)

Order No.03 dated 06.03.2026

The application u/s 482 of BNSS is moved by the Ld. Advocate praying for anticipatory bail of the petitioner, namely, Santosh Ghosh, in connection with Rajnagar PS case No.06 of 2026 dated 15.01.2026 u/s 329(4)/ 109/ 115(2)/ 351(2)/ 3(5) of BNS, giving rise to G.R Case No.96 of 2026 of the Court of Ld. Additional Chief Judicial Magistrate, Suri, Birbhum.

An affidavit has been filed by Santosh Ghosh, the petitioner himself of this case stating that no such bail application under section 482 of BNSS has been filed, nor any application is rejected by any higher forum.

Ld. Advocate for the petitioner submits that the petitioner has been falsely implicated in this case and if the petitioner is released on bail, he will not abscond and will cooperate with the IO for the purpose of investigation. He further submits that no incident ever took place to bring the offence under the purview of the alleged Sections mentioned in the FIR. He also submits that the co-accused on selfsame footing is already on bail. On above plea, Ld. Advocate for the petitioner prays for admission of the petitioner on anticipatory bail on any terms and conditions.

Ld. PP-in-charge, Birbhum has raised objection and produced the CD.

I have heard both sides.

Perused the C.D and also the T.C.R.

It appears from the CD that the IO has effectively worked on CD till 16.01.2026 and since then there is no substantial development in the investigation. It also reveals from the record that other co-accused person is already on bail. The material collected during investigation, at this stage, do not prima facie disclose the requisite intention or knowledge to attract section 109 of BNS. The custodial interrogation does not appear necessary. There is no material suggesting likelihood of absconding or tampering with evidence. Considering all these aspects, I find no ground which can justify custodial interrogation of the petitioner. Hence, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, prayer for anticipatory bail is **allowed**.

Contd/.....

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Contd/.....order dt.06.03.2026

Hence, it is,

Ordered

that in the event of arrest, petitioner, namely, Santosh Ghosh, may be released on bail of Rs.3,000/- with two sureties of Rs.1,500/- each, subject to the satisfaction of the Arresting Officer of this case on condition that the petitioner shall abide by the provision as laid down in section 482(2) of BNSS.

Let a copy of this order along with the T.C.R. of G.R case no.96 of 2026 be sent to the Ld. Additional Chief Judicial Magistrate, Suri, Birbhum for information and taking necessary action.

Let another copy of this order be sent to the S.P, Birbhum for information.

CD be returned.

The Cr. Misc. Case is disposed of.

Dictated & corrected by me.

Sd/- Md. Ehteshamuddin
Sessions Judge, Birbhum.
In-charge

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In-charge