

District: Purba Bardhaman.

In the Court of the Sessions Judge, Purba Bardhaman, at Burdwan.

Present: Shri Bimal Kanti Bera,

Sessions Judge, Purba Bardhaman.

Criminal Misc.- Case No. 538 of 2026

(CNR NO. WBBB 01 001363 2026)

Tumpa Ghosh & another

- versus-

The State

Order no. 02 dated 16.04.2026:

The application for anticipatory bail under Section 482 B.N.S.S. filed on behalf of the accused petitioners namely (1) Tumpa Ghosh, and (2) Rahul Ghosh who apprehend arrest in connection with Dewandighi P.S. Case No. 64 of 2026 dated 21.03.2026 U/Ss 329(4)/115(2)/118(2)/74/351(3)/3(5) of B.N.S. is taken up for hearing.

Record of G.R. Case received. C.D. is also produced.

Heard the Ld. Advocate for the petitioners, and Ld. P.P. In-charge.

It is submitted by the Ld. Advocate for the petitioners that there is long standing property dispute between the parties for which this F.I.R. was lodged with false allegation after long delay of 4 hours of the alleged incident and no such incident as alleged took place and there is also no ingredients of section 74 of B.N.S. It is the further submission of the Ld. Advocate that no such application of these petitioners has either been moved before or rejected by the Hon'ble Court or by this Court on any earlier occasion. Hence, Ld. Advocate prays for grant of anticipatory bail to the petitioners on any condition as this Court deems fit.

Ld. P.P. in-charge opposes the prayer for anticipatory bail and submits that the injury report as collected by the I.O. supports the allegation of grievous hurt caused by the petitioners.

It is alleged in the F.I.R. that on 21.03.2026, petitioners trespassed into the house of the complainant, and abused her in filthy language. When she protested, they assaulted her. When her husband came to her rescue, they hit him with brick bat causing bleeding injury. It appears from the C.D. that I.O. of the case has collected the injury report. Attending doctor noted scalp laceration. C.T. Scan of brain was done. It shows no fracture of any hammerage Considering the facts and circumstances of the case and nature and extent of injury as it comes out from the injury report, it seems that custodial interrogation of the accused persons is not necessary. Accordingly, their prayer u/s 482 B.N.S.S. is allowed.

In the event of arrest of the above named accused petitioners in connection with the above noted case, they shall be released on bail on furnishing bonds of Rs. 3,000/- each with two sureties of Rs. 1,500/- each, subject to the satisfaction of the arresting officer, on the conditions stipulated in section 482(2) of B.N.S.S. with further direction that the accused petitioner No.2 Rahul Ghosh shall meet with the I.O. of the case once in a week till completion of investigation by the I.O.

Let a copy of this order along with the record of G.R. Case be transmitted to the concerned Court for information and necessary action.

C.D. be returned.

Instant Criminal Misc.- Case is thus disposed of.

Dictated & corrected by me.

S.J. Purba Bardhaman.

Sessions Judge, Purba Bardhaman.