

IN THE COURT OF SESSIONS JUDGE, BANKURA

Present : Mir Rashid Ali (WB00701),  
District & Sessions Judge, Bankura

Reg. no. Criminal Misc Application 134/2026

CNR no. WBBK01-000377-2026

Filing No. Cr. Misc 245/2026

Order No. 04

18.03.2026

The application u/s 482 of B.N.S.S. (438 of Cr.P.C) filed on behalf of the petitioner/accused, namely, Somenath Banerjee in connection with Bishnupur P.S. Case No. 189/2022 dt. 12/09/2022 u/s 403/406/409/418/420/468/477A of I.P.C. is taken up for hearing.

TCR is received. C.D. is also produced.

Heard the Ld. Lawyer for the petitioner/accused namely Somenath Banerjee.

Heard the Ld. PP.

Ld. Advocate for the petitioner/accused has submitted that no bail petition is pending before the Hon'ble High Court, Calcutta.

An affidavit has been filed on behalf of the petitioner/accused swearing that no application u/s 482 of the BNSS has been filed before the Hon'ble Court.

It is found upon perusal of the affidavit, duly furnished on behalf of the petitioner/accused, that no case is pending before the Hon'ble High Court in connection with the present case.

Ld. Advocate for the petitioner/accused has submitted that the petitioner/accused is innocent and has falsely been implicated in this case.

It is submitted by the Ld. Advocate for the petitioner/accused that the present case has been started after deposited money as UCR long before the lodgment of the FIR.

It is also submitted that the petitioner/accused is the only earning member of his family and due to his suspension, the entire family has been suffering for a prolonged period.

Ld. Lawyer on behalf of the petitioner/accused submits that the petitioner/accused has no intention to get away with the money.

It is also submitted that there was a mistake for which the petitioner/accused has already paid much more the deposited amount.

It is also submitted by the Ld. Lawyer that for the petitioner/accused that the petitioner/accused is not required for the sake of investigation as the deposited amount has been recovered or re compensated.

More so, the Ld. Lawyer also submits that the charge sheet has been filed. So, custodial detention is not required.

Thus, Ld. Advocate has prayed for anticipatory bail on any terms and condition as this court may deem fit and proper.

Ld. PP opposed the prayer for bail on the ground that the prima facie case has been made against the petitioner/accused.

Perused the record.

Considered.

I am of the view that the custodial detention of the petitioner/accused is not required for the sake of recovery of amount. Secondly, the petitioner/accused is not required for the sake of investigation as the investigation is over.

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In such facts and circumstances, justice could be substantiated if the accused is released on bail subject to suitable terms and conditions.

Hence,

Ordered

that prayer for anticipatory bail is allowed on condition.

In the event of arrest, petitioner/accused shall be released on bail upon furnishing a bond of Rs. 4,000/- with two registered sureties of Rs. 2,000/- each subject to the satisfaction of Ld. ACJM, Bishnupur, on condition that after release on bail, he shall strictly comply with the provision u/s 482(2) of B.N.S.S. and with a condition to surrender before Ld. ACJM, Bishnupur within 15 days from the date of this order for regular bail which shall be considered by Ld. ACJM, Bishnupur u/s 480 of B.N.S.S. and on further condition that the petitioner/accused shall not tamper evidence and hamper investigation.

Return the C.D.

The Criminal Misc. Application is thus disposed of.

Let a copy of this order along with the TCR be sent to the Ld. ACJM, Bishnupur at once.

Dictated and corrected by me

Sd/- Mir Rashid Ali

Sessions Judge, Bankura

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