

IN THE COURT OF SESSIONS JUDGE, BANKURA

Present : Susangeet Kumar Das (WB00973),
District & Sessions Judge-in-charge, Bankura

Reg. no. Criminal Misc Application 217/2026

CNR no. WBBK01-000630-2026

Filing No. Cr. Misc 396/2026

Order No. 02

27.03.2026

The application u/s 482 of B.N.S.S. filed on behalf of the petitioners/accused, namely, 1. Arup Khan, 2. Tumpa Khan, 3. Durgabala Khan and 4. Sanatan Khan in connection with Joypur P.S. Case No. 74/2026 dt. 10.03.2026 u/s 126(2)/115(2)/117(2)/109(1)/74/351(3)3(5) of B.N.S. is taken up for hearing.

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

Heard the Ld. Lawyer for the petitioners/accused namely 1. Arup Khan, 2. Tumpa Khan, 3. Durgabala Khan and 4. Sanatan Khan.

Heard the Ld. Public Prosecutor.

Ld. Advocate for the petitioners/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 petitioners/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 petitioners/accused, that no case is pending before the Hon'ble High Court in connection with the present case.

Ld. Advocate for the petitioners/accused has submitted that the petitioners/accused are innocent and have falsely been implicated in this case. It is also submitted that present case arises out of civil dispute. It is also submitted that the petitioners no. 2 and 3 are females and petitioner no. 4 is aged person. It is also submitted that except sections 74/109(1) of BNS, all other sections are bailable in nature. Thus, Ld. Advocate has prayed for anticipatory bail on any terms and condition as this court may deem fit and proper.

Ld. Public Prosecutor raises objection pointing out that injured person was severely assaulted and he had to be admitted in hospital for two days.

Perused the record and C.D. Considered.

I have carefully perused the materials in CD, statement of the complainant recorded u/s 183 of BNSS, medical papers as well as injury report. The main allegation is against the petitioner no. 1 namely Arup Khan. It further appears that the injury inflicted by the petitioner no. 1 was on the vital part of the body of the injured which could have resulted in serious consequences.

Considering that aspect and also the fact that injured is also stated to be a cancer patient , anticipatory bail application for the petitioner no. 1 namely Arup Khan stands rejected.

So far the other petitioners concerned, the allegations against them more or less are general in nature. Petitioners no. 2 and 3 are ladies and petitioner no. 4 is an aged person. Accordingly, the petitioners no. 2 to 4 may be granted anticipatory bail.

Hence,

Ordered

that prayer for anticipatory bail is allowed on following terms and conditions:

In the event of arrest, the petitioners no. 2 to 4 (2. Tumpa Khan, 3. Durgabala Khan and 4. Sanatan Khan) shall be released on bail upon furnishing a bond of

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Rs. 4,000/- each with two registered sureties of Rs. 2,000/- each subject to the satisfaction of Ld. ACJM, Bishnupur, on condition that after release on bail, they 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.

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/- S. K. Das

District & Sessions Judge-in-charge,
Bankura

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