

IN THE COURT OF SESSIONS JUDGE, BANKURA

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

Reg. no. Criminal Misc Application 222/2026

CNR no. WBBK01-000639-2026

Filing No. Cr. Misc 403 of 2026

Order No. 4

09.04.2026

The application u/s 482 of B.N.S.S. filed on behalf of the petitioners/accused, namely, 1. Prasanta Das Mahanto @ Prasanta Mahanta, 2. Ajit Das Mahanta @ Ajit Kumar Mahanta, 3. Smt. Purnima Das Mahanta @ Purnima Mahanta and 4. Smt. Kalpana Das Mahanta @ Kalpana Mahanta in connection with Simlapal P.S. Case No. 21/2026 dt. 14.03.2026 u/s 329(4)/126(2)/117(2)/118(2)/110/74/351(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. Prasanta Das Mahanto @ Prasanta Mahanta, 2. Ajit Das Mahanta @ Ajit Kumar Mahanta, 3. Smt. Purnima Das Mahanta @ Purnima Mahanta and 4. Smt. Kalpana Das Mahanta @ Kalpana Mahanta

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 petitioners/accused are not involved with the alleged offence.

It also submitted that there is no chance of absconsion and they will not tamper or hamper the investigation.

It is also submitted that the delay in lodging FIR is nearly a month.

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

Ld. Public Prosecutor raised objection and submitted that the injured was admitted and treated in hospital for some days.

Perused the record, C.D. and scrutinized the injury report of the injured immediately after the alleged incident also scanned the medical papers and other materials in the C.D.

Considered.

It is found that the delay in lodging FIR is not properly explained which give rise suspicious theory in the FIR and loosened its credibility.

It is also found that most of the accused persons are either female folks or senior citizens.

Be that as it may, custodial detention of the petitioners/accused is not required as the investigation ought to have been explained with the efflux of time.

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Justice could be substantiated if the petitioners/accused be released on anticipatory bail with suitable terms and conditions.

Hence,

Ordered

that prayer for anticipatory bail is allowed on condition.

In the event of arrest, petitioners/accused shall be released on bail upon furnishing a bond of Rs. 4,000/- each with two registered sureties of Rs. 2,000/- each subject to the satisfaction of Ld. ACJM, Khatra, 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, Khatra within 15 days from the date of this order for regular bail which shall be considered by Ld. ACJM, Khatra u/s 480 of B.N.S.S. and on further condition:

1. that the petitioners/accused shall cooperate with the investigation and
2. petitioners/accused shall meet the I.O. as and when called for and
3. shall not threaten or intimidate witnesses.

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, Khatra at once.

Dictated and corrected by me

Sd/- Mir Rashid Ali

Sessions Judge, Bankura

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