

IN THE COURT OF SESSIONS JUDGE, BANKURA

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

Reg. no. Criminal Misc Application 444/2026

CNR no. WBBK01-001250-2026

Filing No. Cr. Misc 815/2026

Order No. 2

15.06.2026ⁱ

The application u/s 482 of B.N.S.S. filed on behalf of the petitioners/accused, namely, 1. Tarun Bhuinya, 2. Gurupada Sardar, 3. Santu Chowdhury, 4. Lal @ Lalmohan Digar, 5. Mansa @ Amar Gorai, 6. Genru Digar, 7. Subrata Bagshi and Jhantu Das in connection with Joypur P.S. Case No.142/2026 dt. 24.05.2026 u/s. 126(2)/115(2)/109(1)/329(4)/324(4)303(2)/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. Tarun Bhuinya, 2. Gurupada Sardar, 3. Santu Chowdhury, 4. Lal @ Lalmohan Digar, 5. Mansa @ Amar Gorai, 6. Genru Digar, 7. Subrata Bagshi and Jhantu Das.

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 defacto complainant has failed to produce any injury report to give credibility to his allegation.

It also submitted that the case is filed due to political vendetta as the defacto complainant belongs to rival political group after lapse of three months of the alleged incident.

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

Ld. Public Prosecutor opposed the prayer for bail.

Perused the written complaint, formal FIR, L.C.R. and C.D including the statements record U/s. 180 B.N.S.S.

Considered.

It is found that the delay in lodging FIR is not properly explained.

It is also found that there is no cogent document or medical papers to give credibility to the version of the defacto complainant. Liberty of a person cannot be curtailed on the basis of application which is filed at a belated hour, more so, the explanation for filing a delay FIR is mechanical and not properly explained.

I am of the view that custodial detention is not required for the sake of investigation.

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

Continuing.....

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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, 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. on further condition:

1. that the petitioners/accused shall cooperate with the investigation and
2. petitioners/accused shall meet the I.O. once a fortnight till submission of report in final form and
3. shall not tamper the evidence or hamper the witnesses and
4. shall not threat the defacto complainant or witnesses in any manner whatsoever and
5. shall not create hindrance during 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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