

Criminal Misc. Case No. 85 of 2026
CNR – WBCS01-000357-2026
Present: Sri Sudipta Kumar De
(J.O. CODE NO.WB-01136)
Chief Judge, City Sessions Court, Calcutta

Order No.03 dated 17.06.2026

Today is fixed for hearing of an application u/s 482 of the BNSS, 2023 filed by accused/petitioner namely, **Sohaib Hussain @ Md. Shoaib Hussain** praying for anticipatory bail in connection with **Jorasanko P.S.** case No. **51** dated **21.03.2024** u/s u/s **401A** of the K.M.C Act.

Ld. Chief Public Prosecutor and Ld. Advocate for the accused/petitioner are present.

I.O is present with the case diary.

Now the record is taken up for hearing.

Ld. Advocate for the accused/petitioner submits that the allegation against the accused/petitioner is totally false and he has been falsely implicated in this case and he has complied with the notice u/s 41A of the Cr.P.C. So, she prays for anticipatory bail.

It is also submitted by Ld. Advocate for the accused/petitioner that no bail petition is pending/disposed before/by any upper forum.

Ld. Chief Public Prosecutor submits that the accused/petitioner has complied with the notice u/s 41A of the Cr.P.C and he leaves the matter upon the discretion of this Court.

Heard both sides. Perused the case record and the case diary.

It appears that this is a case u/s 401A of the KMC Act and the accused/petitioner has complied with the notice u/s 35(3) of the BNSS corresponding to section 41A of the Cr.P.C.

Considering the nature of the offence, this Court finds that custodial interrogation of the accused/petitioner is not necessary. Accordingly, the prayer for anticipatory bail is **allowed**.

In the event of arrest, the accused/petitioner namely **Sohaib Hussain @ Md. Shoaib Hussain** shall be released on furnishing a bond of **Rs. 4,000/-** with two sureties of **Rs. 2,000/- each** subject to the satisfaction of the arresting authority on the following conditions:

i) the accused/petitioner is directed not to make any further construction in the said premises without the permission of KMC;

ii) the accused/petitioner is directed that he shall make himself available for interrogation by the Investigating Officer as and when required and he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any Investigating Officer.

On being released the accused/petitioner is also directed to comply with the provision laid down u/s 482 (2) of the BNSS, 2023.

The instant criminal misc. case is thus disposed of.

Case diary be returned at once.

Let a copy of this order along with the TCR be sent to the Court concerned.

Let a copy of this order be sent to the I.O through Ld. Chief P.P for information.

D/C. by me.

Chief Judge
City Sessions Court, Calcutta.

Chief Judge
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