

IN THE COURT OF SESSIONS JUDGE, DAKSHIN DINAJPUR AT BALURGHAT.

Present : Smt. Sanghamitra Podder (JO Code WB00855)

Crl. Misc. Case No.319 of 2026

CNR : WBDD01-000834-2026

Order No.03, dt.04.06.2026 :

This is an application u/s-482 of BNSS which has been preferred by the accused-petitioners namely-**1. Madan Barman, 2. Ashim Barman @ Asim Barman, 3. Jaya Barman @ Joya Barman Roy, 4. Mampi Barman and 5. Mamata Barman**, in connection with G.R. Case No.796/2026 arising out of Balurghat P.S Case No.286/2026, dated 11.05.2026, u/s-329(4)/85/115(2)/117(2)/118(2)/109/3(5) of BNS, R/W Section 3/4 of the D.P Act.

The Ld. Advocate for the accused-petitioners and the Ld. P.P, both are present in Court.

Before commencing the hearing of the instant application, this Court specifically queried from the Ld. Advocate representing the accused-petitioners and the Ld. P.P, as to whether any application for bail has been disposed of earlier by any superior Court or if any such similar application is pending in any other Court having jurisdiction to adjudicate the same.

Both, the Ld. Advocate representing the accused-petitioners and the Ld. P.P replied in the negative.

The Ld. Advocate representing the accused-petitioners submits that in the instant case the accused persons have been falsely implicated and they have no nexus with the alleged offence. He submits that on account of the situation as prevailing the accused may be enlarged on anticipatory bail subject to any condition that might be imposed by this Court.

The Ld. P.P opposed such prayer for enlarging the accused persons on bail. Ld. P.P shown me the relevant pages of the CD.

Heard both sides. Perused the said application, the contents of the LCR and CD.

It appears from the case record and Case Diary that save and except section 109 of the BNS, the other sections are Magistrate triable in nature. Injury report of the victim does not attract the provisions of section 118(2)/109 of the BNS.

Considering the facts and circumstances and the materials available in the C.D I find that the custodial interrogation of the accused-petitioners is not required in this case. Accordingly, the prayer for anticipatory bail of the accused-petitioners is **allowed**.

In the event of the arrest of the accused-petitioners namely-**1. Madan Barman, 2. Ashim Barman @ Asim Barman, 3. Jaya Barman @ Joya Barman Roy, 4. Mampi Barman and 5. Mamata Barman**, be released on

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bail by executing bond of Rs.5,000/- each, with two sureties of Rs.2,500/- each, subject to the satisfaction of arresting officer.

Crl. Misc. Case stands disposed of.

L.C.R and C.D be returned.

Let a copy of this Order, along with the L.C.R., be sent to the Ld. C.J.M., Dakshin Dinajpur for information and necessary action.

Dictated & corrected by me.

Sessions Judge in-charge,
Dakshin Dinajpur at Balurghat.

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Dakshin Dinajpur at Balurghat.