

ORder No: 27

Dated: 06.02.2026

Today is fixed for ER of WA.

The complainant is present by filing hazira.

The accused has been arrested and produced before this court with forwarding report, challan, arrest memo, inspection memo and document pertaining to medical.

He has been taken into custody .

Recall WA at once.

Ld. Advocate for the accused filed a bail petition along with fresh power on the ground that the accused could not appear before this court due to miscommunication with his Ld. Advocate and he is interested to contest the matter.

Ld. Advocate also has submitted verbally that the accused was threatened by the complainant side.

Ld. Advocate for the complainant raised vehement objection regarding the bail petition and has submitted that on earlier occasion also WA was issued against the accused, bail was granted to him but he misused the liberty.

It is settled position of law that the accused cannot claim bail as a matter of right even in bailable cases in case of bail jump. The case record emanates a sorry state of affairs from the end of the accused in the matter of attending the court.

Ld. advocate for the accused has filed photocopy of written complaint dated 05.02.2026 which was filed before the Matigara PS regarding an incident dated 05.02.2026.

Considering all the aspects and conduct of the accused namely Anil Lama Tamang, the bail petition is hereby rejected.

Let the accused be sent to the J/C till the next date.

Fix 09.02.2026 for production of accused Anil Lama Tamang and plea.

D & C by me

Chief Judicial Magistrate
Darjeeling

Chief Judicial Magistrate
Darjeeling