

IN THE COURT OF THE SESSIONS JUDGE, PURBA MEDINIPUR

Present : Sri A.S. Mukhopadhyay,
Sessions Judge-in-Charge, Purba Medinipur.
J.O. Code : WB00863

Criminal Misc. Case No. **514** of **2026** (CNR No. WBEM-0100-2463-2026)

Sudip Ghorai & 05 Ors. -Vs- State

Ref : Nandakumar PS Case No. 27/2026 dated 16.01.2026.

Order No. 03 dated 01.07.2026.

In this Criminal Misc. Case u/sec. **482** of B.N.S.S., the accused/petitioners, namely, i) Sudip Ghorai, ii) Dilip Ghorai, iii) Bibek Ari, iv) Bholanath Ghorai @ Bhola Ghorai, v) Samaresh Hait @ Badsha Ghorai and vi) Dipankar Ghorai @ Kalu Ghorai, in connection with Nandakumar PS Case No. 27/2026 dated 16.01.2026, under Sections 126(2)/115(2)/304(2)/109/351(2)/3(5) of B.N.S., have come up with a prayer for granting anticipatory bail.

Learned Advocate for the accused/petitioners and learned P.P. in-charge are present.

The case is taken up for hearing.

At the outset, learned Advocate for the accused/petitioners submits that no application for anticipatory bail has earlier been rejected by the Hon'ble Court or is pending for disposal before the Hon'ble Court. Learned Advocate draws my attention to the affidavit relating to such fact.

The learned P.P. in-charge submits that there is no indication in the Case-diary which goes to suggest that prayer for anticipatory bail for the accused/petitioners has either been rejected by the Hon'ble Court or is pending before the Hon'ble Court for disposal.

In support of the application for anticipatory bail, learned Advocate appearing for the accused/petitioners submits that except Sections 109 and 304(2) all other sections are triable by magistrate. This accused/petitioner lodged one complaint against the son of the de facto complaint and in order to evade from this case this case has been falsely instituted. The F.I.R allegation is totally false and motivated. As such, he prays for anticipatory bail of the accused/petitioners on any condition. Ld. Advocate has filed some documents under the cover of firisti.

Ld. P.P. in-charge raises objection against the bail prayer of the accused/petitioners and produces the C.D. for the consideration of this Court.

Heard both sides.

Perused C.D., TCR and materials on record.

I have perused the case diary, statement of victim as well as the unprofessionally written injury report. The injury report indicates that the attending doctor suspects that the injured might have been intoxicated but that does not permit any person to take law in their own hand. This Court is a part of society and recently it is under notice of the court that people have eagerness to be more or less police and this case brought to notice of this court that people are behaving like police. This is a direct assault by a group of persons upon a group of persons and this short of incident if allowed will create scope of lynching. There is direct allegation against accuse/petitioners no. 1 & 2 so far submitted by the Ld. Advocate of the accused/petitioners but in respect of others the allegations are general. Considering the same, the anticipatory bail application in respect of accused/petitioners no. **1 & 2** namely, **Sudip Ghorai** and **Dilip Ghorai** stands **rejected**.

The anticipatory bail application in respect of accused/petitioners no. 3 to 6 namely, Bibek Ari, Bholanath Ghorai @ Bhola Ghorai, Samaresh Hait @ Badsha Ghorai and Dipankar Ghorai @ Kalu Ghorai is **allowed**.

Accordingly, in the event of arrest, the accused/petitioners, namely, **Bibek Ari, Bholanath Ghorai @ Bhola Ghorai, Samaresh Hait @ Badsha Ghorai and Dipankar Ghorai @ Kalu Ghorai** may find bail of **Rs. 5,000/-** each with two sureties of **Rs. 2,500/-** each, subject to the satisfaction of the Arresting Officer and on condition that they shall abide by the provisions as enumerated in section 482(2) of B.N.S.S. **with a condition to meet the I.O. twice in a week till submission of report in final form i.d., the order for bail shall automatically stand cancelled.**

The I.O. will keep strong vigil on the behaviour of the accused/petitioners on anticipatory bail and if found that they are not following the law he will write before this court giving full details so that their notoriety may be brought into notice.

Today is Doctors' Day on the birth and death anniversary of former Chief Minister of West Bengal, Dr. Bidhan Chandra Roy but I found that the doctor of Khejureria B.P.H.C. did not care to perform like a professional doctor. He did not mention type of injury as well as nature of injury in the injury report even he did not mention his name properly. The C.M.O.H who is responsible for preparing such injury report bound to explain why such type of injury report is prepared and the doctor, probably, S Baym is directed to submit show cause as to why he unprofessionally prepared the injury report and why he has not used any machine or apparatus to ensure that the patient was really intoxicated or not. This performance obstructs justice delivery system.

Contd....

Contd...Order No. 03 dated 01.07.2026.

Let a copy of this order be sent to the Secretary, Ministry of Health and Family Welfare, West Bengal to alert such Doctors in respect of Dr. Roy.

Case Diary be returned at once.

Let a copy of this order, along with the T.C.R. being G.R. Case No. **3430/2025** be sent to the learned C.J.M., Purba Medinipur for information and necessary action.

The Criminal Misc. Case is, thus, disposed of.

Dictated & corrected by me,

Sd/-

Sessions Judge-in-Charge,
Purba Medinipur.

Sd/-

Sessions Judge-in-Charge,
Purba Medinipur.