

CR MISC. CASE NO.09/2025

In the Court of Sessions Judge, Hooghly

Present: Sri Santanu Jha,
Sessions Judge, Hooghly.

Order No.2 dated 14/01/2025

An application under section 482 of B.N.S.S. (u/sec.438 of the Cr.P.C.) is filed by the petitioner namely **Sekh Hassan** in connection with Pandua P.S. Case No.612/2024 dated 22/09/2024 under sections 126(2)/115(2)/117(2)/124(2)/351(2)/352 of B.N.S.

C.D. and T.C.R. are produced.

Ld. P.P., Hooghly has conceded to the submission of the Id. advocate of the petitioner that neither any bail application under section 482 of B.N.S.S. (u/sec.438 of the Cr.P.C.) is pending before the Hon'ble Court nor any such prayer has been rejected by the Hon'ble Court in respect of this petitioner.

The learned advocate for the petitioner has submitted that the allegations made against the petitioner are not so serious and the main accused against whom there is allegation of throwing acid has been enlarged on bail after considerable progress of investigation. Learned advocate has submitted that at this stage if petitioner is granted the relief, he will cooperate with the I.O. and not run away.

Ld. P.P., Hooghly has opposed the bail prayer pointing out that acid was thrown causing severe burn injury on the victim and investigation is underway. Ld. P.P., Hooghly has submitted that the bail prayer is not entertainable.

Having perused the materials in the C.D. and having taken note of the progress of investigation as reflected in the case record, this Court is in favour of allowing the bail petition. It does not appear that custodial detention will be a must for proper investigation.

Accordingly, in the event of arrest, the petitioner may be released on bail upon furnishing bond of Rs.3000/- with one registered surety of like amount, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the B.N.S.S.,2023. If released on anticipatory bail, the petitioner shall meet the I.O. once a fortnight till 31/03/2025 and to appear before the Ld. Court below for regular bail **within three weeks.**

Return the C.D. and T.C.R.

Thus, the Cr. Misc. Case is disposed of.

Let a copy of this order be tagged with the case record.

Dictated & corrected by me.

S.J.

Sessions Judge, Hooghly

J.O. Code WB00399