

CR MISC. CASE NO. 327/2026
In the Court of Sessions Judge, Hooghly

Present: Sri D. Santra (J.O Code WB-00955)
Sessions Judge(I/C), Hooghly.

Order No. 03 dated 30/03/2026

This is an application under section 482 of BNSS filed by the petitioner namely **Rabindranath Banerjee** in connection with Mogra P.S. Case No. 629/2025 dated 27/12/2025 under sections 318(2)/316(2)/351(2) of BNSS.

C.D. and L.C.R. are produced.

Ld. Additional P.P. ,Hooghly concedes to the submission of the Id. Advocate of the petitioner that neither any bail application under section 482 of BNSS is pending before the Hon'ble Court nor any such prayer has been rejected by the Hon'ble Court in respect of these petitioner.

Heard the Id. advocate of the petitioner who has submitted that all the allegations are false and concocted. It is further submitted that the petitioner had already sent advocate's letter to the de facto complainant stating that there dispute regarding measurement and thereafter when the de facto complainant wanted to cancel the agreement and get return of the money, the petitioner through his account and the account of his wife had paid back the money. It is further submitted that the de facto complainant has also instituted a civil suit against the present petitioner. Ld. advocate prays for anticipatory bail on any terms and conditions.

Ld. Additional P.P. , Hooghly has raised strong objection to the prayer of the petitioner and has pointed out to the materials available in the C.D. It is submitted that the agreement entered between the parties is collected by the I.O. which is Notarized one. Apart from that no other document is collected by the I.O.

Having heard both sides and after perusal of the materials in the C.D. I find that the nature of dispute is purely civil in nature and accordingly, I am inclined to give the liberty of anticipatory bail in favour of the petitioner. Hence, prayer for anticipatory bail is **allowed**.

Accordingly, In the event of arrest, the petitioners shall be released on bail upon furnishing bond of Rs.2,500/- with two sureties of like amount to the satisfaction of the Arresting Officer and to comply with the provisions as laid down in sub-section (2) of section 482 of BNS.. Petitioner is further directed to meet with the I.O. once in a week till completion of investigation.

Return the C.D. and L.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(I/C), Hooghly