

Cr. Misc. Case No. 439 of 2026
CNR No. WBHW0100 1180 2026
Present: Subhash Kumar Kar
Sessions Judge, Howrah.
J.O. Code – WB00592

Order No.06 dated 07.04.2026.

The application u/S.483 BNSS arising out of Domjur P.S. Case No. 52 of 2026 dated 20.01.2026 u/Ss. 103/3(5) of BNS filed by the accused/petitioner namely, Prasenjit Das @ Papai, is taken up for hearing.

The accused/petitioner has stated on affidavit that no application has been pending or rejected before or by the Hon'ble High Court till date.

Perused the petition and the C.D. Heard both sides.

Ld. Advocate appearing for the petitioner submitted that the accused/petitioner is in custody since 21.01.2026 and the allegations leveled against the petitioner have no basis and without supporting any materials and it is prayed to enlarge him on bail.

Ld.P.P appearing for the State placed the C.D and submitted that some incriminating materials were seized from the P.O and there is evidence of quarrel and assault on the victim and it is prayed to reject the prayer.

On perusal of the record it appears that this case relates to the alleged offences punishable u/Ss. 103/3(5) of BNS, and it appears from the FIR that on 19.01.2026 at about 6.30 PM the victim Subhankar Ghosh, the brother of the victim complainant came out of his house along with his son Rohit for the purpose of buying shoe and after half an hour Rohit came back alone and told that the victim had gone for loitering with his two friends, i.e., the present petitioner and another and at about 8.45 PM he was informed that his brother has been drowning in a Lake by the said of Mishrapara Railway Line and after arriving he found the chappal of the victim and requested the people to rescue his brother and on local inquiry he came to know that his brother consumed liquor with the present accused and one Souvik by the side of the said Lake and there were shouting in between them and the present petitioner and Souvik fled away when the victim fell in the Lake.

On perusal of the materials including the PM report lying in the C.D., I do not find any materials concerning the overtact of the present petitioner in respect of the alleged crime. Accordingly, I am inclined to enlarge the petitioner on bail.

Hence, it is

Ordered -

that the application under section 483 of BNSS filed by the accused/petitioner is considered and allowed.

The accused/petitioner namely, Prasenjit Das @ Papai, may find bail on furnishing bond of Rs.2,000/- with two regd. sureties of Rs.1,000/- each, subject to the satisfaction of Ld. C.J.M, Howrah with condition to meet the I.O once in a week till submission of the charge sheet.

C.D and L.C.R be returned, if any.

The Cr. Misc. Case is thus disposed of.

Let a copy of the order be sent to the Ld. Court below for information and taking necessary action.

Dictated & corrected by me.

S. J.

Sessions Judge, Howrah.