

Criminal Misc. Case No. 09/2026 (CIS - 13/2026)

CNR No. WBJP01-000664-2026

Order No.09 dt. 01.04.2026:-

Today is fixed for hearing of the Criminal Misc. Case u/s. 482 BNSS.

The Misc. Case under section 482 BNSS filed on behalf of the petitioner, Rajesh Roy in connection with Bhorer Alo PS Case No.30 of 2026 dated 05.02.2026 U/S 316(5)/318(4)/62 of B.N.S., is taken for hearing and decision.

Ld. Advocate, appearing on behalf of the petitioner has submitted that no anticipatory bail application is either pending or was rejected before or by any Superior Court including the Hon'ble High Court, Calcutta.

It is submitted by Ld. Spl PP also that no anticipatory bail petition of these petitioner is either pending or was rejected by any Higher Forum as it appears from the CD.

It is submitted by the Ld. Advocate appearing on behalf of the petitioner that the petitioner is peace-loving, law-abiding citizen of India, he has been falsely implicated in this case, he is completely innocent, he will face the trial. He has also submitted that the alleged amount has been credited to the account of the de-facto complainant. In view of that, it is prayed that he may be enlarged on anticipatory bail on any condition.

Ld. Spl. PP Shri Somnath Pal opposed the prayer for anticipatory bail of this petitioner.

I.O. is present with the C.D.

It appears from the C.D. that the amount of Rs.8,30,000/- (Rupees Eight Lakhs Thirty Thousand) was credited to the account of the de-facto complainant which does not support the prosecution case that the accused persons have cheated the complainant.

Considering the aforesaid facts, at this stage, I am of the view that custodial interrogation of the present petitioner is not necessary for the purpose of investigation.

Accordingly, anticipatory bail application of the present petitioner is allowed.

Hence, it is

ORDERED

that in the event of arrest the petitioner namely, Rajesh Roy shall be released on furnishing bail of Rs.5,000/-, with two sureties of Rs.2,500/- each, subject to the condition as laid down in sub-section (2) of Section 482 of the B.N.S.S. on condition that :-

- 1) he shall appear before this Court each and every date fixed;
- 2) he shall not put the victim under any type of fear;
- 3) he shall not influence the victim and other witnesses or tamper with the evidence;

Let a copy of this order be tagged with the original case record for future reference.

The Criminal Misc Case is thus disposed off.

C.D. returned forthwith.

D/C by me

Judge, Special Court,
(under POCSO ACT)
2nd Court, Jalpaiguri
(in-charge)

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