

Criminal Misc. Case – 302 / 2026
CNR No. WBJP01-000857-2026

Order No. 07, dated – 10.04.2026,

Today is fixed for hearing of this case.

Ld. P.P., Jalpaiguri appearing for the State is present along with C.D.

Ld. Advocate appearing on behalf of the accused-petitioner has intended to move the bail application.

I.O. is personally present and explained the trends and tendency of the investigation and according to his version, the investigation is at penultimate stage.

Now the application u/s 483 of B.N.S.S filed by the accused-petitioner, namely, Jakir Hossain @ Md. Jakir Hossain, praying for bail in connection with Maynaguri P.S. Case No.94/2026 dated 01.03.2026, u/s-108/3(5) of B.N.S is taken up for hearing.

Ld. Lawyer for the accused-petitioner submitted that no bail petition has ever been filed in connection with this case before any higher Court on any earlier occasion and an affidavit has also been filed on behalf of the accused-petitioner in support of such contention by the Ld. Defence Lawyer and the Ld. P.P, Jalpaiguri conceded to the fact as submitted by the Ld. Defence lawyer.

It is the case of the accused-petitioner that he has been falsely implicated in this case out of grudge and personal vendetta and also out of misunderstanding and misconception about the incident, as it has been narrated in the written complaint made by the defacto complainant. Over and above, from the written complaint it does not appear regarding presence of any ingredient of section 108 of B.N.S. In view of that, considering the period of detention in custody for near about 40 days, the present accused-petitioner may be enlarged on bail subject to any condition.

Ld. Public Prosecutor, Jalpaiguri, appearing on behalf of the State has submitted that investigation is at penultimate stage. However, considering the stages of investigation, at this stage, it will not be justifiable to enlarge the accused-petitioner on bail.

Heard both the sides.

Perused the materials on record and C.D. Considered.

Upon perusal of the T.C.R. and the C.D. as submitted by the Ld. Public Prosecutor, Jalpaiguri, and also after going through the record including the F.I.R., written complaint and other incriminating materials lying in the C.D. and considering the submissions of the Ld. Advocate for the accused-petitioner and Ld. Public Prosecutor, Jalpaiguri, appearing for the State, it appears to this Court that investigation has not yet been completed and the same is at penultimate stage.

Considering the present facts and circumstances of this case and considering the stages of investigation, at this stage, it will not be justifiable to enlarge the accused-petitioner on bail.

Hence, it is

ORDERED

that the instant bail application submitted on behalf of the accused-petitioner, namely, Jakir Hossain @ Md. Jakir Hossain, in connection with the above referred case, stands **rejected**.

Send a copy of this order along with T.C.R. to the learned Chief Judicial Magistrate, Jalpaiguri, for information and taking necessary action.

Return C.D.

The instant Criminal Misc case is thus disposed of.

Dictated & corrected by me,

Sessions Judge, Jalpaiguri

(WB01135)

Sessions Judge, Jalpaiguri

(WB01135)