

Criminal Misc. Case – 326 of 2026
C.N.R.No. - WBJP01-000906-2026

Order No. 03 dated 24.03.2026

The application u/s 482 of B.N.S.S. filed by the accused-petitioner, namely, Paresh Ghosh, praying for anticipatory bail in connection with Kotwali P.S. Case No.1156/2013 dated 10.09.2013 u/s-326/307/34 of I.P.C., corresponding to G.R. Case No.4934/2013, 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.

Heard submission of the Ld. Lawyer for the accused-petitioner and the Ld. Public Prosecutor, Jalpaiguri.

Perused the application under Sec.482 of B.N.S.S., T.C.R and the C.D. and other materials on record.
Considered.

It is the contention of the Ld. lawyer for the petitioner that chargesheet has been submitted against him showing him as absconder. Although in some portion of the ordersheet of the Trial court it is mentioned that the petitioner was on bail but actually, he was not on bail and since W.A. has been issued against him, he has knocked the door of this court to get anticipatory bail.

It appears that the case was started against the petitioner and others on 10.09.2013 under sections 326/307/34 of I.P.C. and chargesheet already submitted sometime in the year 2021 showing this petitioner as absconder. I have carefully perused the C.D. and it appears that chargesheet has been submitted on the same sections but there is no injury report which should have been collected by the I.O. during investigation. There is no prayer on the side of the prosecution that custody of the present petitioner is required for further investigation of the case.

Considering the facts and circumstances of the case and the materials on the C.D., I find that custody trial is not required for the present petitioner.

Hence, it is

ORDERED

that the instant anticipatory bail application filed by the accused-petitioner, namely, Paresh Ghosh u/s 482 of B.N.S.S. stands allowed.

Accordingly, this Court directs that in the event of arrest, the petitioner, namely, Paresh Ghosh, shall be released on bail upon furnishing a bond of Rs.3,000/- with two (2) sureties of Rs.1500/- each, subject to the satisfaction of the arresting officer, subject to the compliance of the condition as laid down in sub-section (2) of Section 482 of B.N.S.S. on condition that the accused-petitioner shall not make any threat, intimidation and otherwise influence the witnesses of this case.

Send a copy of this order along with T.C.R. to the Ld. C.J.M., Jalpaiguri, for information and taking necessary action.

Return C.D.

Thus, the Criminal Misc. case is disposed of.

Dictated & corrected by me,

Sessions Judge, Jalpaiguri
(in-charge)
(WB00710)

Sessions Judge, Jalpaiguri
(in-charge)
(WB00710)