

Criminal Misc. Case – 330 of 2026
C.N.R. No. WBJP01-000910-2026

Order No. 02 dated 17.03.2026

The application u/s 482 of B.N.S.S. filed by the accused-petitioners, namely, 1. Umesh Giri, 2. Naresh Giri, 3. Abhay Giri @ Abhay Giri and 4. Trigun Giri praying for anticipatory bail in connection with Mal. P.S. Case No.48/2026 dated 07.02.2026 u/s-126(2)/329(3)/118(2)/74/303(2)/351(3)/3(5) of B.N.S., corresponding to P.T.N. No.WBJP02P000879/2026, is taken up for hearing.

Ld. Lawyer for the accused-petitioners 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-petitioners 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-petitioners that they have been falsely implicated in this case out of personal grudge and vendetta. It has also been contended that there are case and counter case between the parties. It has been contended further that two (2) co-accused persons have already been granted anticipatory bail from this Court on earlier occasion. Considering the present facts and circumstances, it is prayed that these accused-petitioners may be granted with anticipatory bail subject to any condition with a promise to cooperate with investigation.

Ld. Public Prosecutor, Jalpaiguri, opposed the prayer for anticipatory bail.

Heard the Ld. Lawyer for the accused-petitioners and the Ld. Public Prosecutor, Jalpaiguri.

Perused the application for anticipatory bail u/s 482 of B.N.S.S., the T.C.R and the C.D. Considered.

Upon perusal of the materials available before this Court, it appears that on the basis of a written complaint of one Soma Misra the concerned P.S. started a case u/s 126(2)/329(3)/118(2)/74/303(2)/351(3)/3(5) of B.N.S. There is an allegation that at the time of the incident the present accused-petitioners along with two (2) others who are on bail assaulted the de-facto complainant and others and took away some amount of money from his lottery shop along with a good number of lottery tickets. The case was started on 07.02.2026. During investigation the I.O. collected injury report and the nature of injury is simple in nature. There are case and counter case between the parties. Considering the facts and the circumstances, I am inclined to allow the prayer for anticipatory bail filed u/s 482 of B.N.S.S. in respect of the accused-petitioners.

Hence, it is

ORDERED

that the instant anticipatory bail application filed u/s 482 of B.N.S.S. stands allowed.

Accordingly, this Court directs that in the event of arrest, the accused-petitioners, namely, 1. Umesh Giri, 2. Naresh Giri, 3. Abhay Giri @ Abhay Giri and 4. Trigun Giri shall be released on bail upon furnishing a bond of Rs.3,000/- each with two (2) sureties of Rs.1,500/- 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-petitioners shall not cause threat, intimidation or otherwise influence to 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)