

Criminal Misc. Case – 345 / 2026
C.N.R.No. - WBJP010009832026
J.O Code- WB00977

Order No. 03 dated 01.04.2026

The application for u/s 482 of B.N.S.S. filed by the accused-petitioners, namely, 1. Koushik Mondal, 2. Malay Mondal, 3. Amal Halidar, 4. Kalipada Roy, 5. Nimai Mandal and 6. Mohan Malo @ Manmohan Malo, praying for anticipatory bail in connection with Bhorer Alo P.S. Case No.55/2026 dated 09.03.2026, u/s-126(2)/115(2)/117(2)/109(1)/308(2)/324(4)/3(5) of B.N.S., corresponding to P.T.N. No.WBJP02P001563/2026, is taken up for hearing.

Learned Advocate for the accused-petitioners submits that no bail application filed by the accused-petitioners is either rejected or pending by or before any upper forum including Hon'ble High Court, Calcutta in connection with the instant case.

The bail application filed before this Court by the accused-petitioners also reflect the same and the Ld. Public Prosecutor, Jalpaiguri concedes to such facts.

Ld. Advocate for the accused-petitioners submitted that there are case and counter case between the parties and the present case is subsequent one and the present case has been lodged as a counter blast of the case lodged by the accused-petitioner No.5 against the defacto complainant. Actually, the present petitioners are the victims in this case and the dispute arose between the parties during the festival of Holi. On all such grounds, it is submitted that anticipatory bail should be granted to the accused-petitioners.

On the other hand, Ld. Public Prosecutor, Jalpaiguri has submitted that there is no seizure or recovery of any stolen or snatched articles. Also no offending weapon has been seized.

Heard both sides.

Perused the materials on record and C.D.

On perusal of the materials available before this Court, it appears that investigation in this case has progressed to a considerable extent and statements of vital witnesses have been recorded. There are case and counter case between the parties on the basis of a dispute arose during the festival of Holi. The case was registered on 09.03.2026 but till date there is no recovery or seizure of any stolen or snatched articles as alleged. Injury report contains no such ingredients to attract section 109 of B.N.S.

Considering all the above facts and circumstances, I do not find that custodial interrogation or detention of the present accused-petitioners is required in this case and accordingly, the prayer for anticipatory bail for the present accused-petitioners is allowed.

Hence, in the event of arrest, the accused-petitioners, namely, 1. Koushik Mondal, 2. Malay Mondal, 3. Amal Halidar, 4. Kalipada Roy, 5. Nimai Mandal and 6. Mohan Malo @ Manmohan Malo be released on furnishing bond of Rs.2,000/- each with one (1) surety of like amount each, subject to satisfaction of the arresting officer and due compliance with usual provisions as laid down under Sec.482(2) of B.N.S.S.

Let a copy of this order along with T.C.R be sent to the learned 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)**

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