

Criminal Misc. Case – 692 / 2026
C.N.R.No. - WBJP01-001939-2026
J.O Code- WB00656

Order No. 02 dated 16.06.2026

The application u/s 482 of B.N.S.S. filed by the accused-petitioner, namely, Biswajit Barman, praying for anticipatory bail in connection with Rajganj P.S. Case No.169/2026 dated 17.05.2026 u/s-126(2)/74/75/78/79/115(2)/3(5) of B.N.S., is taken up for hearing.

Ld. Defence Lawyer has submitted that no bail petition has ever been filed in connection with this case before any Higher Court on any earlier occasion. An affidavit has been filed by Ld. Defence Lawyer in support of this submission.

Ld. Public Prosecutor, Jalpaiguri, has also submitted that no bail application of these accused-petitioner is either pending or was rejected before or by any higher forum, as it appears from the C.D.

It is submitted by the Ld. Defence Lawyer that this accused-petitioner has been falsely implicated in this case. He is completely innocent. He is no way connected with the alleged occurrence. There is no chance of his absconding as he has his permanent place of residence. In view of that, it is prayed that this accused-petitioner may be enlarged on anticipatory bail on any condition.

Ld. Public Prosecutor, Jalpaiguri, has left the matter to the discretion of this court.

Heard Ld. Public Prosecutor, Jalpaiguri and Ld. Defence Lawyer.

I have carefully considered the C.D. and other materials on record including the statement of the victim/complainant recorded under sec.183 of BNSS. I find that there is no specific progress of investigation in the C.D. after recording statement of the victim / complainant under sec.183 of BNSS i.e. from 22.05.2026. I have examined the injury report of the victim. I find that the nature of injury sustained by the victim girl is simple. Investigation is almost at the verge of its conclusion, as submitted by the Ld. P.P. Considering the above position of investigation, it is felt that custodial interrogation of this petitioner is not required for the purpose of investigation. In view of that, I intend to enlarge the accused-petitioner on pre-arrest bail.

The prayer for anticipatory bail filed on behalf of this accused-petitioner, namely, Biswajit Barman in connection with the above referred case, is **allowed**.

In the event of arrest, the accused-petitioner, namely, Biswajit Barman be released on furnishing bond of Rs.5,000/- with two (2) sureties of Rs.2,500/- each, subject to satisfaction of the arresting officer with a direction to comply the conditions contained in Section 482(2) of B.N.S.S. corresponding to previous Section 438(2) of Cr.P.C.

Let a copy of this order along with T.C.R be sent to learned C.J.M, Jalpaiguri, for information and taking necessary action.

Return C.D.

The Criminal Misc. case is accordingly disposed of.

Dictated & corrected by me,

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

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