

Criminal Misc. Case – 552 / 2026
C.N.R.No. - WBJP01-001591-2026

Order No. 05 dated 18.06.2026.

The application u/s 483 of B.N.S.S filed by the accused-petitioner, namely, Jitu Roy @ Jeetu Roy, praying for bail in connection with G.R. case No.3985/2018 arising out of Maynaguri P.S. Case No.416/2018 dated 09.10.2018, u/s-302/201/34 of I.P.C., is taken up for hearing.

Ld. Lawyer for the accused-petitioner submits 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. Public Prosecutor, Jalpaiguri concedes to the fact as submitted by the Ld. Defence lawyer.

It is the case of the accused-petitioner that initially he has been granted bail from the Hon'ble Court on 29.01.2019 in CRM No.659/2019. However, he misused the liberty of bail and on the strength of warrant of arrest, he was taken into custody on and from 21.01.2026. It has been also contended that due to miscommunication by and between the conducting Advocate and the accused-petitioner, he failed to attend on the date fixed for appearance before the court. In view of that, he missed the date and warrant of arrest was issued against him. Otherwise he was regularly attending the court proceeding. Considering the present facts and circumstances of the case, the accused-petitioner may be enlarged on bail subject to any condition with a promise to attend the court proceeding on day to day basis.

Ld. Public Prosecutor, Jalpaiguri, appearing on behalf of the State has submitted that admittedly earlier he was on bail and he misused the liberty of bail and he has submitted that granting bail is discretionary power and the same is vested upon the court.

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 in the C.D. and considering the submissions of the Ld. Advocate for the accused-petitioner and Ld. Public Prosecutor, Jalpaiguri, appearing on behalf of the State, it appears to this Court that initially this accused-petitioner had been granted bail by the Hon'ble Court on 29.01.2019 in CRM No.659/2019 and later on he misused the liberty of bail and he was brought under arrest on the strength of warrant of arrest on and from 21.01.2026. Considering the present facts and circumstances of the case, at this stage, this Court does not find any justification for any further custodial detention of this accused-petitioner. In view of that, this Court is inclined to enlarge the accused-petitioner on bail subject to certain condition.

Hence, it is

ORDERED

that the instant bail application stands allowed.

Accordingly, the accused-petitioner, namely, Jitu Roy @ Jeetu Roy may find bail of Rs.10,000/- with two (2) registered sureties of Rs.5,000/- each, **out of whom one must be local** subject to satisfaction of the Ld. C.J.M., Jalpaiguri, on condition that the accused-petitioner shall attend the court proceeding on day to day basis, I.d. necessary order will be passed.

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

Also send a copy of this order to the I.O. for information.

Return C.D.

Thus, the Criminal Misc. Case is disposed of.

Dictated & corrected by me,

Sessions Judge, Jalpaiguri
(WB01135)

Sessions Judge, Jalpaiguri
(WB01135)