

Criminal Misc. Case – 592 / 2026
C.N.R.No. - WBJP01-001697-2026
J.O Code- WB00656

Order No. 03 dated 05.06.2026.

The application u/s 483 of B.N.S.S. filed by the accused-petitioner, namely, Tanay Dey, praying for bail in connection with P.T.N. No.WBJP02P001531/2026 arising out of Banarhat P.S. Case No.53/2026 dated 02.03.2026 u/s-85/115(2)/109 of B.N.S. read with section 3/ 4 of D.P. Act, is taken up for hearing.

Ld. Defense 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. Defense Lawyer in support of this submission.

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

Ld. Defense Lawyer has submitted that this accused-petitioner has been falsely implicated in this case. He is no way connected with the alleged occurrence. He is completely innocent. He is in custody since 03.03.2026. There is no chance of his absconding as he has his permanent place of residence. In view of that, it is prayed that he may be enlarged on bail on any condition.

Ld. Public Prosecutor, Jalpaiguri, left the matter to the discretion of this Court. He has again submitted that chargesheet has been submitted in this case and the Ld. Court can consider the prayer for bail.

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

I have carefully considered the C.D. and other materials on record. I find that chargesheet has been submitted in this case under section 109 of B.N.S. along with some other sections read with section 3/ 4 of D.P. Act. This accused-petitioner is in custody since 03.03.2026. Considering the period of detention of this accused-petitioner and as investigation is over, it is felt that further detention of this accused-petitioner is not required.

Accordingly, I intend to enlarge this accused-petitioner on bail.

The prayer for bail filed by the accused-petitioner, namely, Tanay Dey, in connection with the above referred case, is **allowed**.

The accused-petitioner namely, Tanay Dey may find bail of Rs.5,000/- with two (2) registered sureties of Rs.2,500/- each subject to satisfaction of the Ld. C.J.M., Jalpaiguri, on condition as follows :

- (i) he shall appear before the trial court on each and every date ;
- (ii) he shall not tamper with the evidences in any manner whatsoever.
- (iii) he shall not put the victim and other witnesses of this case in any type of fear.

Send a copy of this order along with T.C.R. to Ld. Chief Judicial Magistrate, 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)**