

**Criminal Misc. Case – 320 of 2026**  
**C.N.R. No. WBJP01-000888-2026**

**Order No. 02 dated 17.03.2026**

The application u/s 482 of B.N.S.S. filed by the accused-petitioners, namely, 1. Parthasarathi Roy and 2. Munna Alam, praying for anticipatory bail in connection with Maynaguri P.S. Case No.101/2026 dated 05.03.2026 u/s-115(2)/117(2)/132/324/3(5) of B.N.S., 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.

Ld. Lawyer for the accused-petitioners has submitted that the present petitioners have been falsely implicated in this case out of grudge and vendetta and they are no way connected with the alleged incident. It has been also submitted that all the offences are triable by the Magistrate. Considering the present facts and circumstances, it is prayed that this 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 under Sec.482 of B.N.S.S., T.C.R and the case diary. Considered.

Fact of the case is that on 01.03.2026 at about 11-37 P.M. one vehicle bearing No.WB-69A/2249 was driven in a rash and negligent manner and damaged a portion of the Toll Plaza. At that moment, there was an altercation between the accused-petitioners and the defacto complainant and his men and agents and it is alleged that during that altercation, the accused-petitioners assaulted them. Although the incident of complaint occurred on 01.03.2026 but F.I.R. was lodged on 05.03.2026. Case was registered under sections 115(2)/117(2)/132/324/3(5) of B.N.S.. All these sections are triable by the Magistrate except Sec.132 of BNS, but this section is also triable by the Magistrate. Section 132 of B.N.S. is applicable in the case of public servant. The employees of the Toll Plaza are not public servants. Injury report have been perused and no serious injury is found from the papers annexed in the C.D. Considering the present facts and circumstances of the case and the materials in the C.D., I am inclined to allow the prayer for anticipatory bail filed u/s 482 of B.N.S.S. in respect of the present 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 petitioners, namely, 1. Parthasarathi Roy and 2. Munna Alam, 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 make any threat, intimidation and otherwise influence 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)

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**(in-charge)**  
(WB00710)