

Criminal Misc. Case – 714 / 2026
C.N.R.No. - WBJP01-001991-2026
J.O Code- WB00656

Order No. 02 dated 16.06.2026.

The application u/s 483 of B.N.S.S. filed by the accused-petitioner, namely, Shyamal Roy, praying for bail in connection with Rajganj P.S. Case No.181/2026 dated 24.05.2026 u/s-126(2)/117(2)/110/351(3) 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 this accused-petitioner is either pending or was rejected before or by any higher forum, as it appears from the C.D.

Ld. Defence 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 25.05.2026. 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 has stressed upon the fact that may be, the nature of injury has not been mentioned but still the statement of the victim recorded under sec.180 of BNSS prima facie gives out the materials that can be considered by this court at this stage. He has got no objection against the prayer for bail.

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 recorded under sec.180 of BNSS. I find that in the statement of the victim recorded under sec.180 of BNSS, it is categorically told by him that one Hansua was used to cut the neck of the victim by the accused-petitioner, but somehow the victim could manage to escape. I further find that one sharp cutting weapon was seized from the possession of this accused-petitioner. The injury report does not give out the nature of injury, it only reflects that he was referred to the Orthopedic department. The C.D. also does not give out in respect of the fact whether the victim was at all taken to the orthopedic department or not. Prima facie the offence alleged to have been committed is very heinous in nature. Investigation is still in progress. Right now, I am unable to consider the prayer for bail of this accused-petitioner.

Accordingly, the prayer for bail filed by the accused-petitioner, namely, Shyamal Roy, in connection with the above referred case, is **rejected**.

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)**