

**Crl. Misc. Case No. 475 of 2026**

Present : Smt. Sangita Dutta

Sessions Judge, Malda. (*In-charge*)

**Order No. 03 dated 07-03-2026**

This is an application u/s 482 of B.N.S.S. filed on behalf of the present petitioners namely, 1. Soumitra @ Somitra Mandal, 2. Hakim Mandal, 3. Ukil Mandal, 4. Ganapati Mandal, 5. Satten Mandal and 6. Kripal Mandal in connection with Baishnabnagar P.S. Case No. 150/2026 dated 07.02.2026 under Sections 126(2)/115(2)/117(2)/118(2)/3(5) of B.N.S. The said application is taken up for hearing.

Before proceeding with hearing the said application, this Court specifically queried from the Ld. Advocate representing the present petitioners as to whether any other similar application is pending in either the Hon'ble Court, Calcutta or in the Hon'ble Supreme Court. This Court further queried whether there has been any earlier rejection of any application for bail in an earlier occasion by the Hon'ble High Court or the Hon'ble Supreme Court.

The Ld. District P.P. as well as the Ld. Advocate representing the present petitioners submitted that no such application is pending and/or there is no order of rejection from either the Hon'ble High Court, Calcutta or the Hon'ble Supreme Court.

The Ld. Advocate representing the present petitioners submits that the petitioners herein are innocent and they have been falsely implicated in the instant case. They have no nexus with the offence as alleged. He, therefore, prays for anticipatory bail in respect of the present petitioners on any condition.

The learned District P.P. submits that the instant case is indeed a serious one and allowing the prayer for anticipatory bail would highly prejudice the prosecution. He, therefore, prays for rejection of the prayer for anticipatory bail.

Ld. Advocate representing the present petitioners and the Ld. District P.P. is heard at length.

Perused the LCR and CD.

Upon perusal of the CD and LCR it appears that the instant case has been arisen out of one complaint made by one Rajkumar Mandal against the accused-petitioners with the allegation of physical assault resulting in dislocation of tooth and grievous injury. Considering the materials on record and the injury report available at page 18 of the CD, I find there is enough materials against accused-petitioner nos. 1, 2 and 3. Accordingly, the anticipatory bail prayer of these accused-petitioners stands rejected. However, no specific allegation is made against accused-petitioner nos. 4, 5 and 6, so I do not find any reason to warrant the custodial interrogation of these accused-petitioners. Accordingly, the prayer for anticipatory bail of accused-petitioner nos. 4, 5 and 6 is hereby allowed.

Hence, it is

**O R D E R E D**

that in the event of arrest the present petitioner nos. 4, 5 and 6 namely, Ganapati Mandal, Satten Mandal and Kripal Mandal shall be released upon furnishing bail bond of Rs. 6,000/- each with two registered sureties of Rs. 3,000/- each, subject to satisfaction of the Arresting Officer. If on bail they will comply the provision u/s 482(2) of B.N.S.S. The accused-petitioner nos. 4, 5 and 6 are also directed to meet the I.O. once in a week till submission of charge-sheet.

In addition to the same the accused-petitioner nos. 4, 5 and 6 are directed to surrender before the appropriate Court and pray for regular bail within a fortnight from date.

Return the L.C.R and the C.D.

The Crl. Misc. Case is thus disposed of.

Dictated & Corrected by me,

Sessions Judge, Malda. (I/C)

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