

Crl. Misc. Case No. 511 of 2026

Present : Smt. Sangita Dutta
Sessions Judge, Malda. (*In-charge*)

Order No. 03 dated 11-03-2026

This is an application u/s 483 of B.N.S.S. filed on behalf of the present accused-petitioners namely, 1. Ujjal Biswas, 2. Anay Biswas and 3. Prasenjit Biswas in connection with Gazole P.S. Case No. 930/2024 dated 16.10.2024 under Sections 329(4)/115(2)/117(2)/118(2)/74/109/324(4)/303(2)/3(5) of B.N.S. The said application is taken up for hearing.

Before proceeding with hearing the said application, this Court specific queried from the Ld. Advocate representing the present accused-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 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 accused-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 accused-petitioners submits that the accused-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 bail in respect of the present accused-petitioner on any condition.

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

The Ld. Advocate representing the defacto complainant appears by power and raised strong objection against the bail prayer.

Ld. Advocate representing the present accused-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 in the instant case the accused-petitioners are in custody since 18.12.2025. Charge-sheet has already been filed on 13.09.2025. On perusal of the FIR it appears that Hon'ble High Court at Calcutta rejected the anticipatory bail prayer of these accused-petitioners including others on 30.04.2025. It is also fact that on earlier occasion this Court allowed the bail prayer of other two co-accused on 07.01.2026 in Crl. Misc. Case No. 4279/2025. Now, considering the period of detention of these three accused-petitioners, the prayer for bail u/s 483 of BNSS is hereby allowed.

Hence, it is

ORDERED

that present accused-petitioners namely, 1. Ujjal Biswas, 2. Anay Biswas and 3. Prasenjit Biswas shall be released on furnishing bail bond of **Rs. 20,000/- each with two sureties of Rs. 10,000/- each one of whom must be local**, subject to satisfaction of the Learned C.J.M, Malda.

The accused-petitioners are also directed not to leave the local jurisdiction of the P.S. without prior permission of the I.O. as well as not to threatened the victim and the family members of the defacto complainant or not to tamper any evidence.

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)

Sessions Judge, Malda. (I/C)