

**IN THE COURT OF SESSIONS JUDGE, MALDA.**

**Present : Mr. Subhankar Sen.**

**Ld. Sessions Judge, Malda.**

**Criminal Misc. Case No. 591 of 2026**

Order No.03, dated 07.04.2026

The application, praying for anticipatory bail, under Section 482 of the B.N.S.S., submitted on behalf of the accused/petitioner, viz. **Masum Biswas @ Masum Alam**, who apprehend arrest, in connection with Kaliachak P.S. Case No.1975/2025 dated 28.11.2025 under sections 189(2)/191(2)/191(3)/109/190/61(2)/3(5) of the B.N.S. R/W Section 25(1-B) (a) /27/35 of Arms Act and Adding Section 111 of BNS is taken up for hearing.

At the outset, Ld. Defence Counsel mentioned that no other bail application in respect of the accused/petitioner has been preferred or pending or rejected before any higher authority concerned.

The anticipatory bail prayer is moved by the learned lawyer on behalf of the accused/ petitioner. Ld. Advocate for the accused/petitioner submits before the Court that he has been falsely implicated in this case and is in no way involved in this case. So, he prays for pre-arrest bail on any condition this Court may deem fit and proper.

Learned P.P. Malda vehemently opposes the prayer for bail contending that this case is the outcome of free fight between two group and this accused/petitioner is the hardcore criminal and directly involved in the alleged offence. He further submits that there are several cases pending against accused Asadullah Biswas group and Enarul group.

Perused the materials on C.D and other materials on record.

Having heard both sides and on careful perusal of the C.D materials it appears that this accused/petitioner is named in the FIR, but so far as the materials in the CD are concerned, the role of this accused/petitioner appears to be omnibus in nature. More so, one accomplice of this accused/petitioner was also enlarged on bail by this Court under Section 483 BNSS.

Considering all the fact, I do not think that the custodial interrogation of this accused/ petitioner is essential for the purpose of investigation as there is no previous direction of his bail prayer of similar nature by this Court or the Hon'ble High Court, Calcutta. Accordingly, I am inclined to grant him pre-arrest bail, Thus, the prayer for pre-arrest bail stands **allowed**.

Thus, in the event of arrest in connection with above mentioned case, the accused/ petitioner, viz. **Masum Biswas @ Masum Alam**, may be released on bail on furnishing bail bond of Rs.10,000/-, with two registered sureties of Rs.5,000/-each subject to the satisfaction of the Arresting Police Officer and comply the conditions, as enumerated under Section 482(2) of the B.N.S.S.

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

Thus, the Criminal Misc. Case is hereby disposed of.

Dictated & Corrected by me,  
Sessions Judge, Malda.

Sessions Judge, Malda.