

Crl. Misc. Case No. 623 of 2026

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

Order No. 02 dated 11-03-2026

This is an application u/s 438 of Cr.P.C. filed on behalf of the present petitioner namely, Abdul Majed @ Majed Ali in connection with Chanchal P.S. Case No. 40/2021 dated 09.01.2021 under Sections 399/402 of the I.P.C. 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 petitioner 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 petitioner 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 petitioner submits that the petitioner herein is innocent and he has been falsely implicated in the instant case. He has no nexus with the offence as alleged. He, therefore, prays for anticipatory bail in respect of the present petitioner 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 petitioner 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 S.I. Amarendranath Saha against some others co-accused persons who are not present in the Court today and have been enlarged on bail already. This accused-petitioner has been named in the charge-sheet but there is no recovery from his possession. Charge-sheet has already been submitted on 31.03.2022. So, I do not find any reason to warrant the custodial interrogation of the present accused-petitioner. Accordingly, the prayer for anticipatory bail is hereby allowed.

Hence, it is

O R D E R E D

that in the event of arrest the present petitioner namely, Abdul Majed @ Majed Ali shall be released upon furnishing bail bond of **Rs. 10,000/- with two sureties of Rs. 5,000/- each out of whom one must be local**, subject to satisfaction of the Arresting Officer. If on bail he will comply the provision u/s 438(2) of Cr.P.C.

In addition to the same the accused-petitioner is 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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