

Crl. Misc. Case No.641 of 2026

Present : Smt. Sangita Dutta

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

Order No.02 dated 07-03-2026

This is an application u/s 483 of B.N.S.S. filed on behalf of the present accused-petitioner namely, Dipak Das in connection with Mothabari P.S. Case No.834/2025 dated 06.10.2025 under Sections 329(4)/115(2)/118(1)/109/74/3(5) of BNS. 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-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 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-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 accused-petitioner submits that the accused-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 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.

Upon perusal of the LCR it appears that in the instant case the accused-petitioner is languishing in custody since 17.02.2026. Charge-sheet has already been submitted in this case on 19.02.2026. The period of detention is substantial. Moreover, the injury report available in the record shows that the nature of injury is 'simple'. So, I do not find any effective purpose would be served by his continuance in custody,. Hence, the prayer for bail of the present accused/petitioner is allowed.

Hence, it is

ORDERED

that present accused-petitioner namely, Dipak Das shall be released on furnishing bail bond of **Rs.5,000/-with two registered sureties of Rs.2,500/-each**, subject to satisfaction of the Learned C.J.M, Malda.

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)