

Crl. Misc. Case No. 679 of 2026

Present : Smt. Sangita Dutta

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

Order No. 02 dated 16-03-2026

This is an application u/s 482 of B.N.S.S. filed on behalf of the present petitioner namely, Nabirul Sekh @ Sajal in connection with Kaliachak P.S. Case No. 1875/2025 dated 04.01.2025 under Sections 179/180/61(2) 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 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 PSI Kaushik Sarkar of Kaliachak P.S. against the accused-petitioner along with others with the allegation of having possession and dealing with alleged FICN. Considering the materials on record as well as the FSL report and also the fact that the accused-petitioner is not FIR named but only is charge-sheeted. The charge-sheet has been submitted in this case on 22.01.2026 and other charge-sheeted accused are on bail, However, from the CD it also appears that the present accused-petitioner appears to be a key link in the chain of supply. However, at this stage, 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, Nabirul Sekh @ Sajal shall be released upon furnishing bail bond of **Rs. 10,000/- with two sureties of Rs. 5,000/- each one of whom must be local**, subject to satisfaction of the Arresting Officer. If on bail he will comply the provision u/s 482(2) of B.N.S.S. The accused-petitioner is also directed not to leave the local jurisdiction of the P.S. without permission of the I.O.

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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