

O R D E R S H E E T
IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE, CHANCHAL, MALDA
Criminal Misc. Case No. 160 of 2026
Present : Nirnoy Tamang (WB 01096)
Additional Sessions Judge, Chanchal, Malda (I/C)

Order No. 02 dated 12-03-2026

This is an application for bail submitted u/s 483 of BNSS on behalf of the accused/petitioners, namely **(1) Kosimuddin and (2) Abu Tahir** in connection with Harishchandrapur P.S. Case No. 12 of 2026 dated 03.01.2026 u/s. 329(3)/115(2)/117(2)/109/351(3)/3(5) of BNS corresponding to GR Case No. 25 of 2026.

In view of the solemn order No. 50/G dated 23.02.2026 passed by the Learned District Judge, Malda regular P.O. is busy in connection of exercise of SIR process.

At the very outset, learned Counsel for the accused/ petitioner submits before this court that no such application u/s 483 of BNSS, 2023 is either pending and/or disposed of in the negative by the Hon'ble High Court Calcutta.

Ld. Advocate for the accused/petitioner submits that the accused/petitioner **(1) Kosimuddin and (2) Abu Tahir** are in custody since 04-01-2026 and 06.01.2026 respectively.

Ld. Public Prosecutor-in-charge opposes the prayer for bail.

Ld. Counsel for the de-facto complainant also files objection against the bail prayer and also filed the copy of the order dated 06.02.2026 passed by the Hon'ble Court in WPA 2209 of 2026.

Heard the both sides.

Perused the case record, and other materials on record.

It appears from the CD that though the victims have been discharge, yet this court fails to understand as to what was the need for these accused persons to go into the school premises where the alleged incident took place. At this stage, there is nothing before this Court which mandated or required the above accused persons to enter into the school premises. Thus, the presence of the accused in the school seems to be without any justifiable cause or devoid of any prior approval from the competent authority. Thus, it appear that the presence of the accused persons was not warranted at the place of occurrence on the alleged date of incident. Even though it was submitted by the Ld. Counsel for the accused that the appointment of the victim of the complainant was terminated yet this Court at this stage cannot go beyond the CD and consider documents if any of the accused persons.

Enlargement of bail to the accused persons will not leave a positive footprint in the realm of a society.

Consequently, bail petition of the accused/petitioners stands rejected.

LCR and CD be returned.

The Crl. Misc. Case is thus disposed of.

Dictated & Corrected by me,
S/D. N.Tamang
Addl.S.J., Chl. Malda (I/C)

S/D. N.Tamang
Additional Sessions Judge,
Chanchal, Malda (I/C)