

Present : Sri Debdeep Manna
Additional Sessions Judge (FTC-I), Krishnagar
and In-charge of Sessions Judge, Nadia.

Criminal Misc. Case No. 230 of 2026

Order No. 03
06-03-2026

Today is fixed for hearing of this Misc. case.

This application for anticipatory bail U/s 482 of the BNSS filed on behalf of accused/petitioners, namely, **(1) Dodon @ Dilip Saha and (2) Ananda Bag** who apprehend arrest in connection with Kotwali P.S. Case No. 09/2026 dated 02.01.2026 under sections 329(3)/115(2)/117(2)/109/351(2)/3(5) of the BNS, 2023 is taken up for hearing along with LCR and CD.

Heard Learned Advocate for the accused/petitioners as well as Learned Public Prosecutor.

At the outset, Learned Advocates of both sides state that no similar bail application is preferred, pending before or rejected by any Higher Court of law.

Learned Advocate for the accused/petitioners, while moving the application under section 482 of the BNSS, submits before the Court that assault was made by iron rod and complainant sustained injury. He further submitted that vide order dated 21-02-2026 I.O. was directed to collect the X-ray report, if any with regard to injury of the victim but the same has not been produced today by the I.O. So, on any condition, the prayer for anticipatory bail of the accused/petitioners should be allowed.

On the other hand, Learned Public Prosecutor has admitted the submission of Ld. Advocate and prays for passing necessary order.

Considered the submissions of both sides.

Perused the materials on record and CD.

Having heard submission of both sides, as aforesaid and perusing the materials in LCR and CD, injury report and other materials placed before me, I do not find any X-ray report being collected by the I.O. inspite of specific direction to that effect. From the medical document it appears that the injured was advised X-ray by the treating doctor but ultimately no X-ray report has been collected by the I.O.

Therefore, it may be assumed that the had the injured done X-ray, it should have been collected by the I.O. More over, the injury report, at page 22 shows that injury sustained by the victim is simple.

However, considering the materials on record as well as C.D. and also considering the injury report, I am inclined to allow the prayer for anticipatory bail filed under section 482 of the BNSS to the accused/petitioners, above-mentioned.

Hence, the prayer for anticipatory bail under section 482 of the BNSS stands **allowed**.

Accordingly, in the event of arrest, in connection with the above-mentioned case, each of the accused/petitioners, stated above, shall be released on bail on furnishing bond of Rs. 4000/- with two sureties of Rs. 2000/- each, subject to the satisfaction of the Arresting Officer and on conditions as is envisaged under Section 482(2) of the BNSS with direction upon the accused/petitioners to meet the Investigating Officer as and when called for and they must co-operate with the Investigating Officer during investigation.

CD and LCR be returned.

Criminal Misc. Case, is, thus, finally disposed of.

Dictated & Corrected by me

Sd/- Debdeep Manna
Sessions Judge, Nadia
(In-Charge)
06-03-2026

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Sessions Judge, Nadia
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