

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

Criminal Misc. Case No. 298 of 2026

Order No. 02
06-03-2026

The application for anticipatory bail U/s 482 of the BNSS filed on behalf of accused/petitioners, namely, **(1) Sourav Ghosh @ Swarup Ghosh and (2) Asim Mondal** who apprehend arrest in connection with Nakashipara P.S. Case No. 102/2026 dated 29.01.2026 under sections 126(2)/117(2)/115(2)/109/351(2)/3(5) of the BNS, 2023 is taken up for hearing along with LCR and CD.

Application under section 482 of BNSS in respect of **accused/petitioner no. 1 Sourav Ghosh @ Swarup Ghosh** is rejected, being not pressed,.

Heard Learned Advocate for the accused/petitioner no. 1 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/petitioner, while moving the application under section 482 of the BNSS, submits before the Court that father of the complainant was assaulted by three persons amongst whom FIR named accused Swarup Ghosh was enlarged on bail by Ld. C.J.M, Nadia on 16-02-2026. He further submitted that there is nothing in the injury report to attract Section 109 of BNS. So, on any condition, the prayer for anticipatory bail of the accused/petitioners should be allowed.

On the other hand, Learned Public Prosecutor opposes the prayer for anticipatory bail referring to the injury report and other materials in CD.

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 serious injury. Co-accused is already on bail.

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/petitioner, 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, the **accused/petitioner no. 2**, 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
(In-Charge)

06-03-2026,