

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

Criminal Misc. Case No. 307 of 2026

Order No. 02
06-03-2026

This application for anticipatory bail U/s 482 of the BNSS filed on behalf of accused/petitioner, namely, **(1) Sohel Rana Sekh** who apprehends arrest in connection with Thanarpara P.S. Case No. 369/2025 dated 02.11.2025 under sections 85/117(2)/109/316(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 accused/petitioner is husband of the complainant. His earlier bail application under section 482 of BNSS was rejected by this court. Charge sheet in this case has already been submitted. He has further stated that dispute has been settled between the parties. So, on any condition, the prayer for anticipatory bail of the accused/petitioners should be allowed.

On the other hand, Learned Public Prosecutor has submitted that investigation is completed and charge sheet has been submitted.

De-facto complainant Laila Khatun is present before the court and filed affidavit-in-chief stating that dispute between them has been amicably settled out of court.

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, it appears that accused/petitioner is husband of the complainant. It is submitted by the petitioner that this is subsequent application for anticipatory bail. As a general rule subsequent application for anticipatory bail is barred under law. However, it is settled law that in changed circumstances subsequent application for anticipatory bail can be filed. [**2010 Supreme (Cal) 920 Sri Sudip Sen Vs. State of West Bengal**]

Now, in this case previously the bail application under section 482 of BNSS was rejected but now the hostility between the parties has been settled out of court which means there is clear changed in circumstances, which is clearly evident from the affidavit filed by the de-facto complainant Laila Khanam. Therefore, in view of the above this court finds that this petition is maintainable.

However, considering the materials on record as well as C.D. and also considering that the hostility between the parties has been amicably settled, 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, 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/petitioner to meet the Investigating Officer as and when called for.

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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