

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

Criminal Misc. Case No. 333 of 2026

Order No. 02
10-03-2026

The application for anticipatory bail U/s 482 of the BNSS filed on behalf of accused/petitioners, namely, **(1) Swapan Das and (2) Gurupada Das** who apprehend arrest in connection with **Haringhata P.S.** Case No. 74/2026 dated 01.02.2026 under section 329(3)/115(2)/117(2)/109/74/351(2)/3(5) of the BNS, 2023 is taken up for hearing along with LCR and CD.

Heard Learned Advocate for the accused/petitioner 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 petitioners have been falsely implicated in this case. Allegation against these accused/petitioner is false. Other petitioner is in custody. So, considering the materials in the CD, the prayer for anticipatory bail of the accused/petitioner should be allowed.

On the other hand, Learned Public Prosecutor raises objection against the prayer for anticipatory bail. It has been submitted that there has been allegation against these accused/petitioners. Charge sheet in this case has been submitted.

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, statement of the victim recorded under section 183 BNSS and other materials placed before me, it appears that there has been specific allegation against both the accused/petitioners. Charge sheet in this case has been submitted.

However, considering the material in the C.D. also considering the statement of victim recorded under section 183 of the BNSS and nature of offence as alleged, I think custodial interrogation of these accused/petitioners is required for the sake of investigation and accordingly, I am not inclined to allow the prayer for anticipatory bail filed under section 482 of the BNSS to the accused/petitioners, above-named.

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

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)

10-03-2026

Sd/- Debdeep Manna

Sessions Judge, Nadia

(In-Charge)

10-03-2026,