

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

Criminal Misc. Case No. 494 of 2026

Order No. 03
23-03-2026

The application for bail U/s 483 of the BNSS filed on behalf of accused/petitioner **1. Abraham Mondal** who is in custody in connection with **Kotwali** P.S. Case No. 18/2026 dated 04.01.2026 under sections 126(2)/118(2)/109 of the BNS 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/petitioner, while moving the application under section 483 of the BNSS, submits before the Court that there has been allegation of physical assault upon the victim by this accused petitioner. He is in custody since 05-01-2026. Charge sheet in this case has been submitted. So, considering his period of detention, the prayer for bail of the accused/petitioner should be allowed.

On the other hand, Learned Public Prosecutor raises objection regarding the prayer for bail under Section 483 of the BNSS, on the ground that this accused/petitioner was absconding and thereafter he was arrested. There has been allegation of assault against this accused petitioner as a result of which victim sustained so many cut injuries all over his body. Hence, custodial trial is required.

Considered the submissions of both sides.

Perused the materials on record and CD.

Having heard the submissions of both sides, as aforesaid and perusing the materials in LCR and CD, injury report and other materials placed before me, it appears that there has been specific allegation of assault upon the victim by this accused petitioner. From the injury report it appears that assault was made by this accused/petitioner upon the victim, as a result of which he sustained cut injuries all over his body.

Investigation has been completed and charge sheet has been laid down, which goes to show that a prima facie case has been established against him.

However, considering the materials on record as well as in C.D. and also considering the injury report, I am not inclined to allow the prayer for bail filed under section 483 of the BNSS to the accused/petitioner, above-mentioned.

Hence, the prayer for bail under section 483 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)
23-03-2026

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Sessions Judge, Nadia
(In-Charge)
23-03-2026,