

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

Criminal Misc. Case No. 578 of 2026

Order No. 02
19-03-2026

The application for bail U/s 483 of the BNSS filed on behalf of accused/petitioner **Shankar Das** who is in custody in connection with **Kotwali** P.S. Case No. 122/2026 dated 02.02.2026 under sections 329(3)/117(2)/118(2)/109/3(5) 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 this accused is in custody since 21-02-2026 and he has been falsely implicated in this case. The assault was made by bamboo. There is hardly any ingredients to attract the offence under section 109 of the BNS. So, considering the injury report and 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. It is submitted that this petitioner assaulted the wife of the complainant with shabal, as a result of which she sustained injury on her head.

De-facto complainant appears by filing vakalatnama and raises strong objection regarding the prayer for bail under Section 483 of the BNSS

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 allegation of assault against this petitioner upon wife of the complainant, for which she sustained cut injury on her forehead. Cut injury appears to be simple. From the scan report it appears that there is no abnormality.

However, considering the materials in the CD and injury report and also considering the period of detention, I am inclined to allow the prayer for bail under section 483 of the BNSS to the accused/petitioner.

Hence, the prayer for bail of under Section 483 of the BNSS of stands **allowed.**

Accordingly, the accused/petitioner, may find bail of Rs. 4000/- with two sureties of Rs.2000/- each, subject to the satisfaction of Learned Chief Judicial Magistrate, Nadia at Krishnagar, on condition that if on bail, he shall appear before the concerned Learned Court on each and every date, in default, to judicial custody. 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)

19-03-2026

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Sessions Judge, Nadia
(In-Charge)

19-03-2026,