

Present: **Shri Sujay Sengupta**
Sessions Judge, Nadia.

Criminal Misc. Case No.630 of 2026

Order No.02
09.04.2026

The application for anticipatory bail **U/s 482 of the BNSS** filed on behalf of petitioners, namely, **(1) Gopal Sarkar and (2) Sampa Sarkar** who apprehend arrest in connection with **Karimpur P.S. Case No.46/2026** dated **13.03.2026** under **sections 329(4)/117(2)/118(2)/351(2)/3(5) of the BNS, 2023** is taken up for hearing along with LCR and CD.

Heard Learned Advocate for the 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.

Rummaging the materials so far available, I find that the FIR was registered on 13.03.2026 over the incident happened on that date.

Contention of the Learned Advocate for the petitioners is that there is a title suit pending between the parties being TS No.54/2026 and further, there is counter case being Karimpur PS Case No.51 of 2026 dated 16.03.2026.

Objection is raised by Learned Public Prosecutor against the prayer for anticipatory bail under section 482 of the BNSS, referring to the injury report and other materials in CD.

Perused the medical papers and documents.

On perusal of the medical papers and documents, I find that the victim was admitted and treated in the hospital for four days.

Considered the submissions of both sides.

Perused the materials on record and in CD.

Considering the materials available in CD, and being conceived by the submissions made by the both sides, however, I am of the view that there is no need for custodial interrogation of the present petitioners, above named, for the purpose investigation in this case.

Accordingly, the prayer for anticipatory bail under section 482 of the BNSS stands **allowed**.

Both of the petitioners, above named, are directed to **surrender before the Learned ACJM, Tehatta within ten days** from this day of passing the order.

In case **the petitioners, above named**, surrender before the concerned Learned Court, each of them, above named, may find bail of **Rs.10000/-** with **two sureties** of Rs.5000/- each, one of them must be a **cash surety** by way of fixed deposit certificate, NSC certificate, etc., subject to the **satisfaction of Learned ACJM, Tehata**, and on **conditions** as is envisaged under Section 482(2) of the BNSS, with further **direction** upon the **petitioner no.1, above named, that he will meet the investigating officer twice in a week**, till submission of report by the investigating officer.

CD and LCR be returned.

Criminal Misc. Case, is, thus, finally disposed of.

Dictated & Corrected by me

Sd/- S. Sengupta
Sessions Judge, Nadia
09.04.2026

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