

IN THE COURT OF Sessions Judge in charge, NORTH 24 PARGANAS

Present: **Sri Parag Neogi (WB-00957)**

Sessions Judge in charge, North 24 Parganas.

Criminal Misc. Case No. 98 of 2026

Kashinath Naskar V/s The state.

Order no. 03 dated 09.03.2026:

The instant application u/s. 482 B.N.S.S filed by the petitioner, **Kashinath Naskar** in c/w Haroa P.S. case No.667/2025 dated 25.12.2025 u/s. 329(3)/115(2)/117(2)/76/324(4)/351(2) of B.N.S is taken up for hearing and order.

L.C.R received. C.D is not produced.

Heard the learned advocate for the petitioner accused and the learned P.P In-charge.

Ld. Counsel for the petitioner submits that barring Section 76 of B.N.S, all other Sections are bailable in nature and that the defacto complainant and the petitioner are the neighbours who have a long standing dispute over the property, however no such incident as alleged ever took place and he has been saddled with false allegation by this complaint and there is no ingredient of Section 76 of B.N.S in the complaint itself and chargesheet has already been submitted after completion of investigation and as such there is no justification for custodial interrogation of the present petitioner and that co-accused persons are already on bail. Ld. Counsel further submits that the entire fact has surfaced in the F.I.R, so there is hardly any need for custodial interrogation and detention. Ld. Counsel further contented that as there is no chance of tampering with evidence or hampering into investigation, his prayer for anticipatory bail may be granted.

It is submitted by Ld. Advocate for the accused that no bail petition is pending before or rejected earlier by this court or by any upper court.

On the other hand, Ld. P.P in charge raises objection, He also confirms the submission of chargesheet.

Hd. both sides. Perused the T.C.R. and materials therein. Considered the rival submissions.

It appears that the other co-accused persons are already on bail and chargesheet has already been submitted and as such there is no chance of immediate commencement of trial. Hence, there is no requirement for custodial interrogation of the present petitioner as it is reflected from the C.D.

Upon considering all aspects, I am of the view that the petitioner may be granted anticipatory bail on certain conditions.

Accordingly, in the event of arrest, the accd person namely **Kashinath Naskar** may find bail on furnishing bond of Rs.5,000/- with two sureties of Rs.2,500/- each of like amount, subject to the satisfaction of Arresting Officer, and to comply with the provision as laid down u/s. 482(2) B.N.S.S subject to condition that he also shall not directly or indirectly try to meet, interact, influence or intimidate the complainant or witnesses, and also shall not try to tamper with the evidence in any manner whatsoever and on further condition that the petitioner shall appear personally on every date before the Jurisdictional Court and and he shall appear before the Id Court below for regular bail within three weeks

Return the T.C.R along with a copy of this order to the concerned Court for information and necessary action.

The instant C.M.C is disposed of.

Dictated & corrected by me.

**Sri Parag Neogi,
Sessions Judge in charge,
North 24 Parganas.**

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