

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.109 of 2026

Debasish Das V/s The state.

Order no. 05 dated 30.03.2026:

The instant application u/s. 482 B.N.S.S filed by the petitioner, **Debasish Das** in c/w NSCBI Airport P.S. case No.83/2025 dated 25.11.2025 u/s.319(2)/318(4)/336(2)/336(3)/338/340(2)/3(5) of B.N.S is taken up for hearing and order.

L.C.R received. C.D is produced.

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

Ld. Counsel for the petitioner submits that co-accused person was arrested and was granted bail and he draws the attention to the ordersheet dated 21.03.2026 wherefrom it appears that there is no special reason assigned to keep the present accused into custody and that the petitioner is not Bangladeshi citizen since he has valid documents such as aadhar card and pan card etc, due to which he is apprehending arrest and also submits that petitioner was not involved in the alleged offence and submits that the petitioner has been falsely implicated in this case only for harassment and that the petitioner has permanent hearth and home and as such there is no such of his abscontion. In view of that, there is no need for custodial interrogation and at this stage, he may be enlarged on bail under any conditions. He further submits that no such application of this petitioner has either been moved before or rejected by the Hon'ble Court on any previous occasion. Hence, he prays for grant of bail of the accused petitioner on any condition as deemed fit.

Learned Public Prosecutor in charge raises objection, referring to the materials in the C.D. He also submits that the petitioner is a Bangladeshi Citizen.

Perused the case record. Considered.

It appears that the investigation is on stagnant stage. Co-accused persons on same footing are already on bail. However, those co-accused persons were arrested and were taken into custody by the investigating officer. No cogent evidence was collected from their custody during the P.C period. As such, Ld. Court below was pleased to allow their bail petition on the date of their returning from P.C. The said fact suggests that the custodial interrogation of the present accused is also not necessary for the purpose of investigation. Apart from the naming of the present accused in the co-accused's statement, the Investigating Officer (I.O.) failed to collect any further cogent evidence against him. Hence, the instant petition is allowed, subject to certain conditions.

Accordingly, in the event of arrest, the accd person namely **Debasish Das** 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 shall meet with the I.O once a fortnight till completion of investigation and 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 L.C.R along with a copy of this order to the concerned Court for information and necessary action.

C.D be returned.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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