

**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.244 of 2026**

**Bipul Adhikary and others V/s The state.**

**Order no. 03 dated 05.03.2026:**

The instant application u/s. 482 B.N.S.S filed by the petitioners, **Bipul Adhikary, Ashok Adhikary and Prosenjit Mondal @ Varu** in c/w Gaighata P.S. case No.36/2026 dated 16.01.2026 u/s.126(2)/118(2)/351(2)/3(5) of B.N.S is taken up for hearing and order.

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

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

Ld. advocate for the petitioners submits that barring Section 118(2) of B.N.S, all other Sections are bailable in nature and that the ingredient of Section 118(2) of B.N.S is lacking in this case and that this case has been lodged with false allegations just to harass the petitioners and the petitioners have permanent hearth and home and they will not abscond. In view of that, there is no need for custodial interrogation of the petitioners at this stage and considering the same, in any stringent terms and conditions, their 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.

Ld. Public Prosecutor in charge appearing on behalf of the State has submitted that the statement recorded under Section 180 of B.N.S.S and injury reports as lying in the C.D transpires the gravity of the allegations and on the basis of that, it will not be justifiable to grant anticipatory bail at this stage.

Hd. Both sides. Perused the materials in the C.D. Considered.

Injury reports do not suggest that the condition of the victim was deteriorated. Further, the victim was treated as out-door patient and that the victim was never admitted to any hospital. Investigation has almost completed. Custodial interrogation is not required as it is reflected from the C.D. Hence, their anticipatory bail prayer is allowed.

Accordingly, in the event of arrest, the accd persons namely **Bipul Adhikary, Ashok Adhikary and Prosenjit Mondal @ Varu** may find bail on furnishing bond of Rs.5,000/- each 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 they 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 petitioners shall appear personally on every date before the Jurisdictional Court and they 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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