

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.297 of 2026

Subha Jagulia V/s The state.

Order no. 02 dated 05.03.2026:

The instant application u/s. 482 B.N.S.S filed by the petitioner, **Subha Jagulia** in c/w Sandeshkhali P.S. case No.32/2026 dated 21.01.2026 u/s.126(2)/115(2)/117(2)/76/351(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 petitioner accused and the learned P.P In-charge.

Ld. advocate for the petitioner submits that barring section 76 of B.N.S, all other Sections areailable in nature and that there is no ingredient of Section 76 of B.N.S in the complaint itself and that though there was a hot altercation between the parties, but no such incident as alleged ever took place and that the petitioner has attended the investigating agency in pursuance of a notice under Section 35(3) of B.N.S.S and he is cooperating with the investigation. Ld. Counsel for the petitioner further submits that he is a local person and that the petitioner has been falsely implicated in this case and that the F.I.R has been created by blowing the allegations out of proportion and the petitioner is innocent and thus, nothing has been happened as alleged. 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. P.P. In-charge submits that the present petitioners have been long absconding. Ld. P.P in charge has, therefore, raised objection against the prayer for bail. He further submits that the injury report is lying with the C.D.

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

Record reveals that notice was issued to the petitioner under section 35(3) of B.N.S.S and he has duly complied with the same. Investigation has fairly proceeded and there is no material to show that the petitioner has not cooperated during investigation.

Considering the nature of allegation and since the petitioner has complied with notice under Section 35(3) of B.N.S.S. Act, it does not appear that custodial interrogation of the accd would be needed for the purpose of investigation. Hence, his anticipatory bail prayer is allowed with some conditions.

Accordingly, in the event of arrest, the accd person namely **Subha Jagulia** 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 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 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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Sessions Judge in charge, North 24 Parganas.

