

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

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

Sessions Judge in charge, North 24 Parganas

Criminal Misc. Case No.1035 of 2026

Prasad @ Prosad Mallik and Piku Biswas V/s The state.

Order no. 02 dated 02.06.2026:

The application for bail under section 482 of B.N.S.S. filed on behalf of the accused petitioners namely **Prasad @ Prosad Mallik and Piku Biswas** in connection with Gaighata P.S Case no.94 of 2026 dated 02.02.2026 under section 126(2)/115(2)/118(2)/351(2)/3(5) of B.N.S. is taken up for hearing.

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

Heard the learned advocate for the petitioners accused and the learned P.P In-charge. Learned Advocate for the petitioners submits that they have been falsely implicated in this case by the defacto complainant and that there is a civil dispute by and between the defacto complainant and the present petitioners and already one T.S is pending between the parties and that the principal accused namely Biswajit Biswas was granted bail by the Court of Ld.A.D.J. Bongaon under Section 483 of B.N.S.S. and that the allegations are completely false and omnibus in nature. He also submits that the accused are local persons and they have permanent hearth and home and entire fact has surfaced in the F.I.R and they are ready to cooperate with the investigation and to face the trial. He further submits that no such application of these petitioners 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 petitioners on any condition as deemed fit.

Ld. P.P. In-charge raises objection, relying on the materials on C.D, including the statements of witnesses recorded under Section 180 of B.N.S.S and Injury reports.

Perused the materials in the C.D. Considered.

It appears that the investigation is on stagnant stage and the principal accused is already on bail. Materials on C.D show that the injuries of the victim are not so serious in nature. Materials on C.D also do not suggest the custodial interrogation of the present accused persons.

Considering above, their anticipatory bail prayer is allowed with some conditions.

Accordingly, in the event of arrest, the accd persons namely **Prasad @ Prosad Mallik and Piku Biswas** 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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