

Criminal Misc. Case No. 888 of 2026

Present: Sukumar Ray

J.O. CODE NO.WB00590.

Sessions Judge, North 24-Parganas

Order No. 03 dated 05.06.2026

1. In this criminal Misc. case under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the accused/petitioners namely, **Khitish Mondal and Usha Rani Mondal @ Usharani Mondal Biswas** who apprehend their arrest in connection with G.R no.947 of 2026 arising out of Gaighata Police Station case No.267 of 2026 dated 26.03.2026 under sections 126(2)/115(2)/117(2)/109(1)/351(2)/3(5) of B.N.S have come up with a prayer for grant of anticipatory bail.

2. At the very outset, Ld. Advocate for the accused/petitioners submits that no application for bail has either been rejected by the Hon'ble High Court at Calcutta or is pending for disposal before the Hon'ble Court.

3. Ld. Advocate draws my attention to paragraph no. 8 of the application under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

4. Ld. Public prosecutor submits that there is no indication in the case diary which goes to suggest that prayer for anticipatory bail for the accused/petitioners has either been rejected by the Hon'ble High Court or is pending before the Hon'ble Court for disposal.

5. Ld. Advocate for the accused/petitioners submits that the accused persons are innocent and they have been falsely implicated in this case. He further submits that the defacto complainant is also an accused in a number of cases. Hence, he prays for anticipatory bail on any condition.

6. Ld. Public Prosecutor in charge opposes the prayer for bail. He also submits that the I.C of Gaighata P.S files an explanation.

7. I have carefully perused the F.I.R, contents of the case record as well as case diary particularly the statements of the witnesses recorded under section 180 of the Bharatiya Nagarik Suraksha Sanhita vis-a-vis the injury report.

8. Considering the materials appearing in the case diary vis-a-vis the injury report, I am not inclined to allow the prayer for anticipatory bail in respect of the accused/petitioner no.1, namely **Khitish Mondal**.

09. Accordingly, the prayer for anticipatory bail of the accused/petitioner no.1 namely **Khitish Mondal** stands rejected.

10. Considering the materials appearing in the case diary, it appears that custodial interrogation of the petitioner no. 2 namely **Usha Rani Mondal @ Usharani Mondal Biswas** is not necessary.

11. Accordingly, the prayer for anticipatory bail of the accused/petitioner no.2 namely **Usha Rani Mondal @ Usharani Mondal Biswas** stands allowed.

12. In the event of arrest, the accused/petitioner namely **Usha Rani Mondal @ Usharani Mondal Biswas** be enlarged on bail of Rs.3,000/- with two sureties of Rs.1,500/- each of like amount, to the satisfaction of the Arresting Officer subject to the condition as enumerated in section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with a condition that she shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date. The explanation filed by the I.C of Gaighata P.S is perused and considered and the same is found satisfactory and accepted.

13. Case diary be returned at once.

14. Let a copy of this order along with the TCR be sent down to the Court concerned.

15. Misc. case is disposed of.

16. Let a copy of the order be also sent to the I.O through Ld. Public Prosecutor for information.

Dictated & Corrected by me.

Sessions Judge, North 24 Parganas, Barasat

Sessions Judge,

North 24 Parganas, Barasat