

Criminal Misc. Case No.901 of 2026

Present: Sukumar Ray

J.O. CODE NO.WB00590.

Sessions Judge, North 24-Parganas

Order No. 05 dated 05.06.2026

1. In this criminal Misc. case under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the accused/petitioners namely, **Dilip Kumar Ballav, Tumpa Ballav and Diya Ballav** who apprehend their arrest in connection with G.R no.988 of 2026 arising out of New Town case No.76 of 2026 dated 30.03.2026 under sections 115(2)/126(2)/303(2)/69 of the Bharatiya Nyaya Sanhita have come up with a prayer for grant of anticipatory bail.

2. So far as the petition praying for bail in respect of the petitioner no.1 namely **Dilip Kumar Ballav** is rejected being not pressed by the ld lawyer for the defence since the said petitioner was already arrested in this case.

3. At the very outset, Ld. Advocate for the rest of 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.

4. Ld. Advocate draws my attention to paragraph no. 11 of the application under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. 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.

6. Ld. Advocate for the accused/petitioners submits that these accused/petitioners are innocent and they have been falsely implicated in this case and the allegations ascribed in the F.I.R are out and out false and the accused persons have not committed any offence as alleged. Hence, he prays for anticipatory bail on any condition.

7. Ld. Public Prosecutor opposes the anticipatory bail prayer of these accused/petitioners.

8. 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.

9. Considering the nature of allegations ascribed and described in the F.I.R against the rest two accused persons vis-a-vis the materials appearing in the case diary, I am of the view that custodial interrogation of the petitioner nos. 2 & 3 namely **Tumpa Ballav and Diya Ballav** is not necessary.

10. Accordingly, the prayer for anticipatory bail of the accused/petitioner nos. 2 & 3 namely **Tumpa Ballav and Diya Ballav** stands allowed.

11. In the event of arrest, the accused/petitioner nos. 2 & 3 namely **Tumpa Ballav and Diya Ballav** be enlarged on bail of Rs.3,000/-each with one surety 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 they shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

12. Case diary be returned at once.

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

14. Misc. case is disposed of.

15. 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