

Criminal Misc. Case No. 974 of 2026

Present: Sukumar Ray

J.O. CODE NO.WB00590.

Sessions Judge, North 24-Parganas

Order No. 04 dated 05.06.2026

1. In this criminal Misc. case under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the accused/petitioners namely, **Prafulla Kumar Ghosh and Kajal Ghosh** who apprehend their arrest in connection with G.R no. 4209 of 2025 arising out of Barasat Police Station case No.641 of 2025 dated 04.12.2025 under sections 385/420/406/465/506/34 of I.P.C 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.1 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 senior citizens and they have been falsely implicated in this case. He further submits that the cheque in question has already been seized in connection with another case. He further submits that if the accused persons be liberated on bail, he will follow the dictum of the Court. Hence, he prays for anticipatory bail on any condition.

6. Ld. Public Prosecutor opposes the anticipatory bail prayer of this accused/petitioners.

7. I have carefully perused the F.I.R, contents of the case record as well as the materials appearing in the case diary particularly the statements of the witnesses recorded under section 180 of the Bharatiya Nagarik Suraksha Sanhita.

8. On careful perusal of the materials appearing in the case diary, it appears that the complainant is a green grocer. It further appears that so many litigations are pending by and between the parties. Considering the materials appearing in the case diary, particularly the statements of witnesses recorded under Section 180 of B.N.S.S, it

appears to me that if the accused be liberated on bail subject to stringent conditions, the investigation will not be hampered.

09. Accordingly, the prayer for anticipatory bail of the accused/petitioners **Prafulla Kumar Ghosh and Kajal Ghosh** stands allowed, subject to certain conditions.

10. In the event of arrest, the accused/petitioners namely **Prafulla Kumar Ghosh and Kajal Ghosh** be enlarged on bail of Rs.10,000/- each with two sureties of Rs.5,000/- 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 report to the investigating officer thrice a week until further order and they shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

11. Case diary be returned at once.

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

13. Misc. case is disposed of.

14. 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