

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

Present: **Sri S.Bhattacharyya (WB-00726)**

**Sessions Judge in charge, North 24 Parganas.**

**Criminal Misc. Case No.1031 of 2026**

**Abhijit Mondal** V/s The state.

**Order no. 06 dated 14.07.2026:**

The instant application u/s. 482 B.N.S.S filed by the petitioner, **Abhijit Mondal** in c/w MInakhan P.S. case No.90/2026 dated 17.03.2026 u/s.

329(3)/329(4)/117(2)/76/351(2)/3(5) of B.N.S. is taken up for hearing and order.

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

Heard the learned advocate for the petitioner accused and the learned P.P In-charge.

Ld. Counsel for the petitioner submits that the petitioner and the defacto complainant are neighbours and though a hot altercation took place, however no such incident as alleged ever took place and that the essential elements of Section 76 of B.N.S are very much wanting in this case and that the allegations are completely false and omnibus in nature. Ld. Counsel further submits that the entire fact has surfaced in the F.I.R, so there is hardly any need for custodial interrogation and detention. Ld. Counsel further contented that as there is no chance of tampering with evidence or hampering into investigation, 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 raises objection, placing the materials available in the C.D including the statement under Section 180 of B.N.S.S and injujury report.

Hd. both sides. Perused the C.D. and T.C.R.. and materials therein. Considered the rival submissions.

Scrutiny of the injury report shows that if anticipatory bail prayer of the petitioner is granted, then hardly any prejudice would occur in the process of investigation. In view of the injury report which suggests no serious injury, due to scuffling between the parties, this Court is of the opinion that the same does not warrant petitioner's custodial interrogation for the purpose of investigation. Hence, his anticipatory bail prayer is allowed, subject to stringent conditions.

Accordingly, in the event of arrest, the accd person/petitioner namely **Abhijit Mondal** may find bail on furnishing bond of Rs.5,000/- with two sureties of Rs.2,500/- each, 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 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 petitioner shall appear personally on every date before the Jurisdictional Court and he shall appear before the ld Court below for regular bail within three weeks.

Return the T.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 S.Bhattacharyya,**  
**Sessions Judge in charge,**  
**North 24 Parganas.**

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