

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. 1313 of 2026

Sk. Saheb Ali V/s The state.

Order no. 02 dated 02.06.2026:

The application for bail under section 483 of B.N.S.S. filed on behalf of the accused petitioner namely **Sk. Saheb Ali** in connection with Rajarhat P.S Case no.94 of 2026 dated 11.04.2026 under section 85/89//117(2)/316(2) of B.N.S & 3/4 of D.P. Act is taken up for hearing.

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

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

Ld. Advocate for the petitioner submits that this is a simpliciter case of Section 85 of B.N.S and the petitioner happens to be the father in law of the victim and that the essential elements of Section 89 of B.N.S is lacking in this case and that the petitioner has been detained in custody since 12.05.2026 i.e for a considerable period of time and that the provision of Section 316 of B.N.S has already been complied with and that the petitioner is ready to cooperate with the investigation and to face the trial. Ld. Lawyer for the petitioner submits that he has permanent hearth and home and as such there is no chance of his abscontion and he is ready to comply with any other condition if be imposed and in view of that, further detention of the present petitioner is not required and as such his prayer for bail should be allowed. He further submits that no such application of this petitioner 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 petitioner on any condition as deemed fit..

Ld. P.P in charge raises objection, relying on the materials on the C.D. He also submits that statements of witnesses and the statement of the victim recorded under Section 180 and 183 of B.N.S.S respectively are available in the C.D.

Ld. Counsel for the defacto complainant with the consent of the Id P.P in charge appears by filing vokalatnama and he also submits that all the accused persons were involved in this case and other accused persons are still at large.

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

The accused person is in custody since 12.05.2026 and he is father in law of the victim.

Medical report and the statement of the victim recorded under Section 183 of B.N.S.S do not suggest further custodial detention of the present accused person.

Considering above, the prayer for bail is allowed.

The petitioner namely **Sk. Saheb Ali** may find bail upon furnishing bond of Rs 5,000/- with two sureties of Rs.2,500/- each, subject to the satisfaction of Ld. C.J.M, North 24 Parganas, Barasat on condition that he shall not commit any offence while on bail and that he shall appear before the Ld. Court below on each and every date and in case of malafide absence of the petitioner, the Id Court below may cancel the bail without any reference to this Court.

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.**

**Sri Parag Neogi,
Sessions Judge in charge,
North 24 Parganas.**