

Criminal Misc. Case No.1763 of 2026

Present: Sukumar Ray

J.O. CODE NO.WB00590.

Sessions Judge, North 24-Parganas

Order No. 03 dated 14.08.2026

1. In this criminal Misc. case under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the accused/petitioner namely, **Sarfaraz Hosen @ Nayan** who apprehends his arrest in connection with G.R no. 3248 of 2026 arising out of Haroa Police Station case No.487 of 2026 dated 01.06.2026 under sections 341/323/420/406/506/34 of I.P.C has come up with a prayer for grant of anticipatory bail.

2. At the very outset, Ld. Advocate for the accused/petitioner 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. 5 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/petitioner 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/petitioner submits that the case is an outcome of political vendetta. He further submits that the accused person has been falsely implicated in this case. He further submits that no such incident took place as disclosed in the F.I.R. He further submits that the essential elements for the offence complaint of are very much wanting in this case. Hence, he prays for anticipatory bail on any condition.

6. Ld. Public Prosecutor in charge Sri Tarun Sen opposes the prayer for bail.

7. I have carefully perused the case diary particularly the statements of the witnesses recorded under section 180 of the Bharatiya Nagarik Suraksha Sanhita.

8. Considering the materials appearing in the case diary, I find that if the accused/petitioner be liberated on pre-arrest bail, the investigation will not be hampered.

09. Accordingly, the prayer for anticipatory bail of the accused/petitioner **Sarfaraz Hosen @ Nayan** stands allowed.

10. In the event of arrest, the accused/petitioner namely **Sarfaraz Hosen @ Nayan** be enlarged on bail of Rs.5,000/- with two sureties of Rs.2,500/- 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 he 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 be sent down to the Court concerned.

13. Misc. case is disposed of.

Dictated & Corrected by me.

Sessions Judge, North 24 Parganas, Barasat

Sessions Judge,

North 24 Parganas, Barasat