

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 2517 of 2026

Rafikul Islam @ Bhola V/s The state.

Order no. 02 dated 16.07.2026:

The instant application u/s. 483 B.N.S.S filed by the petitioner, **Rafikul Islam @ Bhola** in c/w Habra P.S. case No.378/2026 dated 27.06.2026 U/s. 115(2)/117(2)/329(4)/324(3)/326(4)/351(2)/3(5) of B.N.S is taken up for hearing and order.

T.C.R. has been 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 the accd petitioner is in c.h since 03.07.2026 and the case has been initiated on the basis of petition of complaint under Section 175(3) of B.N.S.S. He also submits that the person from whom petrol was seized was not arrested and the petrol was not available in a grocery shop and the seizure wase made from the house of the complainant. Accordingly, there is no need for further detention of the petitioner. Hence, he prays for grant of bail of the accused petitioner on any terms and conditions as this Court thinks it fit and proper. He also submits that he is ready to cooperate with the investigation and to face the trial and considering the same in any stringent terms and condition, the accd may be released on bail. 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, placing the materials in the C.D including the statements of witnesses recorded under Section 180 and 183 of B.N.S.S.

Ld. Counsel for the defacto complainant with the consent of the Id P.P in charge appears by filing vokatatnama and he also raises objection. He also submits that the petitioner is the habitual offender and if the bail prayer is allowed, the defacto complainant will not survive at all since the members of the family of the petitioner have been continuously threatening the defacto complainant with dire consequences.

Hd. Perused. Considered.

Accused has been suffering from incarceration for a considerable period of time.

On consideration of the statements of the witnesses and other materials in the C.D, prima-facie it appears that the accident may be caused by a short circuit. However as I find that investigation has proceeded well, further detention may not be necessary.

Considering all above, I am inclined to allow petitioner's bail prayer with some conditions.

The petitioner namely **Rafikul Islam @ Bhola** may find bail on 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 cooperate with the investigation as and when asked for by the I.O for the purpose of investigation and he also shall not try to tamper with the evidence in any manner whatsoever and also he shall not commit any offence while on bail and he shall appear before the Ld. Court below on each and every date of the proceeding of this case 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 C.D and T.C.R..

Thus, the Cr. Misc. Case is disposed of.

Let a copy of this order be tagged with the case record.

Let copies of this order be sent to the concerned P.S.

Dictated & corrected by me.

Sri S.Bhattacharyya,
Sessions Judge in charge,
North 24 Parganas.

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