

Criminal Misc. Case No.2529 of 2026

Present: Sukumar Ray

J.O. CODE NO.WB00590.

Sessions Judge, North 24-Parganas

Order No. 03 dated 03.09.2026

1. In this criminal Misc. case under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the accused/petitioner namely, **Subrata Mondal** who apprehends his arrest in connection with G.R no. arising out of Hingalganj Police Station case No.180 of 2026 dated 04.06.2026 under sections 85/115(2)/117(2)/110/3(5) of B.N.S. 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.e 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 accused/petitioner is innocent and he 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 complained of are very much wanting in this case. He also submits that the marriage between the couple took place about 15 years back. He further submits that the petitioner has complied with the notice under Section 35(3) of B.N.S.S. and he is cooperating with the investigation. Hence, he prays for anticipatory bail on any condition.

6. Ld. Public Prosecutor in charge Sri Goutam Bon opposes the prayer for bail on the ground that there is direct and specific allegations against the accused/petitioner.

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, particularly when the notice under Section 35(3) of B.N.S.S has been complied with by the accused person, I am of the view that custodial interrogation of the accused/petitioner is not necessary.

09. Accordingly, the prayer for anticipatory bail of the accused/petitioner **Subrata Mondal** stands allowed.

10. In the event of arrest, the accused/petitioner namely **Subrata Mondal** be enlarged on bail of Rs.3,000/- with two sureties of Rs.1,500/- 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