

MR EXN. Case No. 05 /2026.

Order Dated 27.04.2026.

The O.P namely Pronab Kumar Das is produced from J.C.

A bail petition is filed on behalf of the o.p stating that he is in no way able to pay the arrear amount to the petitioner due to his severe health condition and financial crisis and it is also submitted that he has been embroiled in false and fabricated case filed by the petitioner. Perused the record and materials on it.

At the outset it is to be noted that there is no provision of bail in an execution proceeding and as the opposite party has defaulted several times, the only way out is to pay the required amount as was ordered or at least show that he is willing to comply the previous orders for payment. However, in this matter the O.P has done none and has showed no signs of making or trying to make any payment to the petitioner as per the previous orders for which D/W was issued and then W/A was issued.

Considering that the o.p will not be able to make the payment of the remaining arrear amount which was due to be paid by him and also considering the provision of law hence it is

Ordered

that the op be sentenced to Simple Imprisonment for thirty days or until the payment of the due amount whichever is earlier. The period already undergone in custody will be calculated within the period of 30 days S.I.

Superintendent of DD.C. Home is directed to release the said arrestee after completion of thirty days (i.e after 24.05.2026) or payment of the due amount whichever is earlier.

Inform all concerned and sent a copy of this order as well.

To 23.06.2026 for payment by the opposite party positively i/d necessary order.

(ABHIJEET PAKHRIN)

Addl.Chief Judicial Magistrate,BDN

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