

Criminal Misc. Case No. 532 of 2026

Order No. 02
06.06.2026

This is an application under Section 482 of BNSS, filed by the accused/petitioner namely; **Sanjoy Gorain**, praying for anticipatory bail apprehending his arrest, in connection with Purulia(M) P.S Case No. 71 of 2026 dated 01.03.2026 under Section 329(4)/115(2)/117(2)/109(1)/351(2)/3(5) of BNS, vide G.R. Case No. 385 of 2024.

Ld. Lawyer for the accused submits that no bail application has been filed/pending before the Hon'ble High Court, Calcutta. He also submitted that the present accused petitioner is innocent and falsely implicated in this case. In this case the charge sheet has been submitted. Co-accused person is enlarged on bail. Accordingly, Ld. Lawyer for the accused prays for bail.

Heard Ld. P.P. in-charge who raises objection.

Considered the submissions made by both the sides. Perused the T.C.R., F.I.R. and C.D. The bail application was earlier rejected. Investigation is over. However, on perusal of the case record and case docket it appears that the final report in respect of Purulia(M) P.S. FIR No. 71 of 2026 dated 01.03.2026 was submitted in final form of Purulia(M) P.S. C.S. No. 89 of 2026 dated 25.04.2026 by PSI Anjarul Islam. It is trite that the law restricts a Police Officer of the rank of sub-inspector on probation in respect of investigation to be done by him during his training period attached to Police station. According to PRB rule 791(5) a PSI is not authorize to investigate and submit final report in cases like one in hand. In that view of the matter the legality of the final report appears to be in question. Considering such misinterpretation of procedural law causing technical miscarriage as observed above as well as the nature of allegations and other materials in C.D., I do not find any necessity for custodial interrogation of this accused person for the purpose of investigation. Hence, the prayer for anticipatory bail is considered and allowed.

In the event of arrest, the accused petitioner be released, on furnishing bond of Rs.3000/- with two sureties of Rs. 1500/- each, to the satisfaction of the arresting officer and on compliance with the conditions as envisaged u/s 482(2) of BNSS.

The Criminal Misc. Case is, thus disposed of. Return the C.D.

Let a copy of this Order along with the T.C.R. be sent to the Learned C.J.M, Purulia, for information.

(Dictated & Corrected)

Sessions Judge, Purulia
(I/C)

Sessions Judge, Purulia.
(I/C)