

In the Court of Ld Additional Sessions Judge, Diamond Harbour, South 24 Parganas
CMC 126 of 2026
arising out of Falta PS Case No 51 of 2026
GR No 575 of 2026
u/s 310(4)/ 310(5) of BNS, 2023 & 25 (1)(a) / 27 of the Arms Act
State Vs 1. Prosenjit Barik

Order No 3
18/03/2026

Today is fixed for hearing on the bail petition u/s 483 BNS filed on behalf of the accused person namely Prosenjit Barik.

Ld Advocate for the accused/petitioner and the Ld. PP in charge both are present.

Record is taken up for hearing.

Heard Both sides.

CD produced.

At the very beginning Ld Advocate for the above-named accused person/petitioner submitted that no bail application is either filed or pending before any higher forum and that the accused person is in custody since 03.03.2026 within which no PC prayer was forwarded by the IO which indicates that there is no requirement of custodial interrogation and as such the accused person may be granted bail on any condition whatsoever.

By raising objection Ld PP in charge submitted that this is an early stage of investigation and there is a recovery of one iron rod from the custody of the accused.

As a matter of fact this is a case u/s 310(4)/ 310(5) of BNS, 2023 & 25 (1)(a) / 27 of the Arms Act in which investigation has not yet been completed and the CD reveals recovery of one iron rod from the custody of the accused and such recovery was made on the very date of his arrest. In the meantime, there had been no prayer for the custodial interrogation of the accused. That being the position I find further detention of the accused to be unnecessary.

Hence, it is,

Ordered

that the application u/s 483 BNSS registered as CMC No 126/2026 is hereby allowed and accordingly disposed of.

The accused person/petitioner may find an interim bail of Rs.3,000/- with two sureties of Rs.1,500/- each subject to the satisfaction of Ld. ACJM, Diamond Harbour with further condition that they shall appear before the Court of Ld. ACJM, Diamond Harbour on each and every date and shall meet the IO once in a week till submission of charge sheet, and shall not tamper the prosecution evidence and shall not intimidate the witnesses under any circumstances and shall comply with the provision of section 480 (3) of BNSS.

The interim bail shall remain in force till 20.04.2026.

Ld. ACJM, Diamond Harbour shall be at liberty to extend or confirm the interim bail and shall further be at liberty to modify any condition of the interim bail depending all the overall conduct of the accused persons.

Return the CD.

Let a copy of this order along with LCR be sent back to Ld. ACJM at Diamond Harbour for information and necessary action.

Dictated and corrected by me:

Sd/-

Dhiman Barman (WB00923)

Additional Sessions Judge(I.C)

Diamond Harbour, S. 24 Parganas

Sd/-

Dhiman Barman (WB00923)

Additional Sessions Judge(I.C)

Diamond Harbour, S. 24 Parganas