

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.316/2026
CNR WBUD01-000628/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
02/10.03.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioner **Milan Paul** in connection with Itahar P.S. Case No.164/2026 dated 22.02.2026 vide GR 495/2026 u/s 109(1)/115(2)/329(4)/74/3(5) B.N.S is taken up for hearing.

Learned Advocate for the petitioner by filing an affidavit submits that no such application under section 482 of B.N.S.S is either rejected or pending in this Court or before the Hon'ble Higher Courts prior to this application.

On query, Ld. Public Prosecutor submits that there is no reflection in the CD that there is any bail application either pending or rejected by the Hon'ble Higher Courts and IO also did not intimate him that any bail application is pending or rejected by the Hon'ble Higher Courts.

Ld Advocate for the petitioner submits that the primary allegation in the FIR is in respect of sec.109 B.N.S. All other sections are Magistrate triable and also bailable in nature. Ld Advocate further submitted that there is no such material in the FIR to attract the provision of sec.109 B.N.S. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised formal objection and left the matter to the discretion of the Court.

Perused the FIR and other relevant materials available in the case record. I have also perused the CD including statement of witnesses recorded u/s 180 B.N.S. I have perused the injury report of the victim where it is mentioned that the injury is simple in nature.

Considering all circumstances, it appears that custodial interrogation of the petitioner is not required in the interest of investigation. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S is hereby considered and allowed.

Accused/Petitioner namely **Milan Paul**, in the event of arrest, in connection with Itahar P.S. Case No.164/2026 dated 22.02.2026 vide GR 495/2026, be released on furnishing bail bond of Rs.3,000/- with one surety of like amount, subject to the satisfaction of the Arresting Officer. If on bail he shall comply with the provisions of section 482(2) of B.N.S.S.

Thus, the Criminal Misc Case is disposed of accordingly. Return LCR and CD.

Let a copy of this order be sent to Ld C.J.M, Uttar Dinajpur for information and necessary action.

Dictd. & cortd.

S.J-in ch.

Sessions Judge-in ch, U/Dinajpur.