

**In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj**  
**Crl Misc Case No.436/2026**  
**CNR WBUD01-000826/2026**

**Present:- Sri Surajit Mandal (WB00993)**  
**Sessions Judge-in ch, Uttar Dinajpur at Raiganj**  
**03/08.04.2026**

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioner **Ujjal Mitra** in connection with Goalpokher P.S. Case No.433/2025 dated 16.07.2025 vide GR 2395/2025 u/s 316(5)/318(4)/336(3)/340(2) 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 in this case the de facto complainant/victim has alleged that this petitioner cheated the victim and thereby dishonestly induced him to provide money. The entire matter relates to provide a job in a foreign country to the de facto complainant. It is stated in the FIR that the de facto complainant at a later stage discovered that this petitioner had not arranged for any such employment in the foreign country and he had to return after visiting the foreign country. Ld Advocate emphasized that on perusing the FIR, it would appear that apart from this, there is no other type of allegation. The investigation has already proceeded as this FIR was lodged on 16.07.2025 but since that time and till date, no seizure of any kind has been made in this case. There is no material to show that any kind of deception was practiced by the petitioner upon the de facto complainant. Ld Advocate further submitted that this is not a case where there has been any kind of deliberate cheating upon the victim. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised objection and submitted that there is ingredients to show that there has been monetary transaction between the parties. Ld PP, however, left the matter to the discretion of the Court.

I have perused the FIR and other relevant documents available in the case record. I have also perused the CD including statement of witnesses recorded u/s 180 B.N.S.S.

I have considered the fact that the fact that the offences alleged are Magistrate triable in nature.

On considering the CD, it appears that there are ingredients which show that monetary transaction had taken place between the victim/de facto complainant and the petitioner.

(Contd....)

Having considered entire facts and circumstances, I am of the view that the investigation has now proceeded to a good extend. This is not a situation where custodial detention of the petitioner is necessary. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S is hereby considered and allowed.

Accused/Petitioner namely **Ujjal Mitra**, in the event of arrest, in connection with Goalpokher P.S. Case No.433/2025 dated 16.07.2025 vide GR 2395/2025, be released on furnishing bail bond of Rs.10,000/- 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. and with condition that he shall co-operate with the investigation in every manner and shall not try to influence witnesses or interfere with the investigation.

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

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

Dictd. & cortd.

S.J-in ch.

Sessions Judge-in ch, U/Dinajpur.