

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.858/2026
CNR WBUD01-001512/2026

Present:- Subhrajit Basu (WB01238)
Sessions Judge, Uttar Dinajpur at Raiganj
07/03.08.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of petitioner **Tanay Das @ Sanking @ Sunking Das** in connection with Raiganj P.S. Case No.508/2026 dated 22.05.2026 vide GR 1230/2026 u/s 111/270/279/326(b)/351(1)/351(2) B.N.S r/w sec. 25(1)(a)/27 Arms Act and 17 A of West Bengal Inland Fisheries Act 1984 and section 4D of West bengal Land Reforms Act 1955 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 pending or rejected 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 petitioner is innocent and has been falsely implicated in this case. It is further submitted that one of the co-accused on identical footing has already been enlarged on anticipatory bail by this Court. It is further submitted that, at the time of the alleged incident, this petitioner was not present at the place of occurrence, as he was out of station. In support of this contention, the petitioner has filed certain documents. In view of above, Ld Advocate for the petitioner prays for anticipatory bail on any condition.

On the other hand, Ld Public Prosecutor has raised objection against the prayer for anticipatory bail and submits that this petitioner is directly involved in the alleged offence. He further submitted that the police did not find any documents to establish that the petitioner was out of station at the time of the alleged offence. Accordingly, he prayed for rejection of the bail application.

IO of this case is present in Court today. He has filed a petition of objection stating the reasons therein.

De facto complainant is present in Court today. Ld Advocate for the de facto complainant submits that this petitioner is directly involved in the alleged offence. It is further submitted that if the petitioner is released on anticipatory bail at this stage, the safety and security of the petitioner may be adversely affected.

Heard both sides. Perused the LCR and CD.

In the FIR, similar allegations have been made against three accused persons and one of the co-accused on similar footing was earlier granted bail by this Court on 17.07.2026 in Crl Misc Case no. 863/2026.

(Contd....)

In the FIR, there is a specific allegation against a person belonging to a schedule caste community.

The question that arises is whether this case attracts the provisions of the **Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989**.

However, it appears from the CD that the *de facto* complainant has submitted in writing to the IO that he does not have any document to show that he is a person belonging to the schedule caste community.

In such circumstances, it is apparent the allegations to this effect made in the FIR are baseless and unfounded.

Considering the materials in the CD against this petitioner and the fact that the co-accused on identical footing has already been granted anticipatory bail by this Court and other facts and circumstances of this case, this Court is of the view that there is no necessity for custodial interrogation of this accused. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S. is hereby considered and allowed.

Accused/Petitioner, namely, **Tanay Das @ Sanking @ Sunking Das**, in the event of arrest, in connection with Raiganj P.S. Case No.508/2026 dated 22.05.2026 vide GR 1230/2026, be released on furnishing bail bond of Rs.10,000/- with two sureties of Rs.5,000/- each, 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., with condition, **he shall meet the IO twice in a week until further orders or until completion of investigation, whichever is earlier. He shall not leave the jurisdiction of Raiganj PS without the leave of the Court.** He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

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.

Sessions Judge, U/Dinajpur.