

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
CrI Misc Case No.899/2026
CNR WBUD01-001568/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
02/19.06.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioner **Kamal Kumar Mahato** in connection with Karandighi P.S. Case No.261/2026 dated 30.05.2026 vide GR 1600/2026 u/s 109(1)/115(2)/117(2)/126(2)/303(2)/351(2)/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 in the FIR, there is allegation of committing robbery where the victim was forced to handover Rs.92,000/- that was in his possession. The specific allegation against this petitioner is that he had threatened the victim. Apart from this, there is no specific allegation of any other kind against this petitioner. Ld Advocate emphasized that if the petitioner is granted bail, he will co-operate with the investigation. Other two co-accused persons were also arrested and taken into PC. During such PC period, only the offending vehicle was recovered. The money has not yet been recovered. Ld Advocate submitted that this petitioner does not have any involvement in the alleged incident. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised objection and submitted that there is allegation of committing robbery from the possession of the victim. During PC of two accused persons, the vehicle which was used for committing such incident, has been recovered. The investigation is going on and at this stage, it shall not be proper to allow the prayer for bail of this petitioner.

Ld Advocate representing the de facto complainant also made similar submissions stating that this petitioner is one of the FIR named accused who had jointly committed robbery. Presently he is absconding. If anticipatory bail is allowed to this accused at this stage, the investigation will be hampered. Ld Advocate accordingly prayed for rejection of bail application.

I have perused the FIR wherefrom it appears that there are specific allegation against this petitioner stating that the petitioner was forced to handover Rs.92,000/- cash to the accused persons. For the purpose of committing the offence, one Scorpio vehicle was used.

I have perused the CD including statement of witnesses recorded u/s 180 B.N.S.S. Also perused the seizure lists which shows that one Scorpio vehicle allegedly used in the commission of the offence, has been seized from the custody of other co-accused persons who were arrested.

(Contd....)

I have also perused the injury report of the victim.

On perusing the necessary documents, it appears that the investigation is progressing. The robbed money has not yet been recovered.

At this stage, considering the interest of investigation, I do not consider this to be a fit situation to allow the benefit of anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S of accused/petitioner **Kamal Kumar Mahato** stands **rejected**.

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