

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE,
ISLAMPUR, UTTAR DINAJPUR.
CNR-WBUD05-001118-2026
Criminal Misc Case No- 462/2026
Arising out G.R Case No.196/2026

Present : Shri Plaban Mukherjee
J.O Code- (WB-01427)
Addl. Dist.& Sessions Judge,
Islampur, Uttar Dinajpur.

Mukesh Kumar
Vs
State of West Bengal

02
11.06.2026

This is an application under section 483 of B.N.S.S. praying for bail filed by the accused as against the rejection order of the Ld. Addl. Chief Judicial Magistrate Islampur in connection with **Dalkhola Excise Station S.I's Seizure List No. 55/2026 dated 29.03.2026 u/s. 46A(bb) and 52 of Bengal Excise Act**, pending before Ld. ACJM, Islampur.

Received the LCR and CD.

The case record is being taken up for hearing.

Heard Ld. Addl. P. P. and Ld. Counsel for the accused/petitioner.

Ld. Advocate for the accused/petitioners submits that no application of a similar nature was/is preferred before the Higher forum nor a similar nature of the application was rejected.

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

Ld Advocate for the accused submitted that the accused is falsely implicated in the case and he has been in custody since 14.05.2026. It is further submitted that by this time investigation has considerably been progressed and he is merely the driver of the vehicle and he has no knowledge about it.

Ld Addl P.P. raised objection.

Heard. Considered.

Perused the bail petition, the case record and the CD and comparing the same with the statement of witnesses, it appears that the accused petitioner is in custody since 14.05.2026 and there was a seizure of 210 liters of liquor. The case diary reveals that the I.O of this case issued notice upon the present accused petitioner for his appearance and in pursuance of the said notice he appeared before the I.O.

Considering the above facts and circumstances of the case and progress of investigation, I do not find any reason to justify further detention of the petitioner any more.

Accordingly, petition u/s 483 of B.N.S.S. stands **allowed**.

Hence, the petitioner namely, **Mukesh Kumar** may find bail of Rs. 5,000/- with two sureties of Rs.2,500/- each, subject to the satisfaction of Ld. A.C.J.M., Islampur and on condition that the petitioner shall not intimidate or induce any witness of this case with a further direction that the accused petitioner shall meet the IO of this case once in a week till completion of investigation.

Let a copy of this order along with L.C.R. be sent to the office of the Ld. Addl. Chief Judicial Magistrate, Islampur for information and taking necessary action.

CD be returned.

CrI. Misc. Case is thus disposed of.

Dictated & corrected by me:

Addl. Sessions Judge,
Islampur, Uttar Dinajpur.

Addl. Sessions Judge,
Islampur, Uttar Dinajpur.