

Criminal Misc. Case – 825 / 2026
C.N.R.No. - WBJP01-002212-2026
J.O Code- WB00656

Order No. 03 dated 20.06.2026

The application for u/s 482 of B.N.S.S. filed by the accused-petitioners, namely, 1. Subhas Roy, 2. Banindra Roy, 3. Sumitra Roy, 4. Pinki Sarkar Dutta and 5. Mridul Dutta, praying for anticipatory bail in connection with Dhupguri P.S. Case No.179/2026 dated 11.06.2026 u/s- 308(2) of B.N.S., is taken up for hearing.

Ld. Defence Lawyer has submitted that no bail petition has ever been filed in connection with this case before any Higher Court on any earlier occasion. An affidavit has been by this Ld. Defence Lawyer in support of this submission.

Ld. Public Prosecutor, Jalpaiguri, has also submitted that no bail application of these accused-petitioners is pending or was rejected by any higher forum as it appears from the C.D.

Ld. Defence Lawyer has submitted that these accused-petitioners have been falsely implicated in this case. They are not in any way connected with the alleged occurrence. There is no chance of their absconding since they have their permanent place of residence. In view of above, it is prayed that the accused-petitioners may be enlarged on anticipatory bail on any condition.

Ld. Public Prosecutor, Jalpaiguri, has submitted that the C.D. gives out the materials against these accused-petitioners. He opposes the prayer for anticipatory bail.

Heard the Ld. Public Prosecutor, Jalpaiguri and the Ld. Defence Lawyer.

I have carefully considered the materials on record and the C.D. I find that the offence alleged to have been committed is very serious in nature. Investigation is at initial stage. At this stage, it cannot be considered that custodial interrogation of these accused-petitioners is not required for the purpose of investigation. Considering the materials in the C.D., it is felt that custodial interrogation of these accused-petitioners is necessary for the purpose of investigation. Hence, I am not inclined to give the benefit of pre-arrest bail to the accused-petitioners.

Therefore, the prayer for anticipatory bail filed by the accused-petitioners, namely, 1. Subhas Roy, 2. Banindra Roy, 3. Sumitra Roy, 4. Pinki Sarkar Dutta and 5. Mridul Dutta, in connection with the above referred case, is **rejected**.

Let a copy of this order along with T.C.R be sent to the learned C.J.M, Jalpaiguri, for information and taking necessary action.

Return C.D.

The Criminal Misc. case is accordingly disposed of.

Dictated & corrected by me,

**Sessions Judge,
Jalpaiguri (in-charge)**

**Sessions Judge,
Jalpaiguri (in-charge)**