

In the Court of the Ld. Sessions Judge, Birbhum at Suri.
Cr. Misc. Case No.206 of 2026
(CNR No. WBBB-01-000590-2026)
Present :- Md. Ehteshamuddin (JO Code WB00962)
Sessions Judge, Birbhum (In-charge)

Order No.02 dated 11.03.2026

The application u/s 482 of BNSS is moved by the Ld. Advocate praying for anticipatory bail of the petitioner, namely, Rahit Sekh, in connection with Santiniketan PS case No.247 of 2025 dated 09.09.2025 u/s 318(4)/ 316(2) of BNS and Section 25 of Antiquities and Art Treasures Act, giving rise to G.R Case No.1306 of 2025 of the Court of Ld. Additional Chief Judicial Magistrate, Bolpur, Birbhum.

An affidavit has been filed by Rahit Sekh, the petitioner herself of this case stating that no such bail application under section 482 of BNSS has been filed, nor any application is rejected by any higher forum.

Ld. Advocate for the petitioner submits that the petitioner has been falsely implicated in this case and if the petitioner is released on bail, he will not abscond and will cooperate with the IO for the purpose of investigation. He further submits that no incident ever took place to bring the offence under the purview of the alleged Sections mentioned in the FIR. He also submits that all the sections are triable by Ld. Court of Magistrate and notice u/s. 35(3) of BNSS has not been served upon the petitioner. On above plea, Ld. Advocate for the petitioner prays for admission of the petitioner on anticipatory bail on any terms and conditions.

Ld. PP-in-charge, Birbhum has raised objection and produced the CD for my perusal.

I have heard both sides.

Perused the C.D and also the T.C.R.

It appears from the CD that the IO has effectively worked on CD till 17.01.2026 and since then there is no substantial development in the investigation. All the alleged sections are triable by Ld. Court of Magistrate. No notice u/s. 35(3) of BNSS was served upon the petitioner by the IO. There is no material suggesting likelihood of absconding or tampering with evidence. Considering the materials on the CD and other materials on record and also considering the noncompliance of mandatory provision by the IO, I find no ground which can justify custodial interrogation of the petitioner. Hence, I am inclined to enlarge the petitioner on

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anticipatory bail. Accordingly, prayer for anticipatory bail is **allowed**.

Hence, it is,

Ordered

that in the event of arrest, petitioner, namely, Rahit Sekh, may be released on bail of Rs.3,000/- with two sureties of Rs.1,500/- each, subject to the satisfaction of the Arresting Officer of this case on condition that the petitioner shall abide by the provision as laid down in section 482(2) of BNSS.

Let a copy of this order along with the T.C.R. of G.R case no.1306 of 2025 be sent to the Ld. Additional Chief Judicial Magistrate, Bolpur, Birbhum for information and taking necessary action.

Let another copy of this order be sent to the S.P, Birbhum for information.

CD be returned.

The Cr. Misc. Case is disposed of.

Dictated & corrected by me.

Sd/- Md. Ehteshamuddin
Sessions Judge, Birbhum.

In-charge

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Sessions Judge, Birbhum.

In-charge