

In the Court of the Ld. Sessions Judge, Birbhum at Suri.

Cr. Misc. Case No.994 of 2026

(CNR No. WBBB-01-002183-2026)

Present :- Sri Subhendu Saha (JO Code WB00739)

Sessions Judge, Birbhum (In-charge)

Order No. 03 dated 12.08.2026

The application u/s 482 of BNSS is moved by the Ld. Advocate praying for anticipatory bail of the petitioners, namely, (1) Sarathia Saha @ Shanti Saha and (2) Apurba Saha in connection with Sainthia P.S. Case No.223 of 2026 dated 18.06.2026 u/s 126(2)/ 76/ 329(4)/ 115(2)/ 117(2)/ 118(1)/ 109(1)/ 324(4)/ 304(2)/ 351(3)/ 3(5) of BNS, giving rise to G.R. Case No.1013 of 2026 of the Court of Ld. Chief Judicial Magistrate, Suri, Birbhum.

An affidavit has been filed by Apurba Saha, one of the petitioners 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.

The Ld. advocate for the petitioners has submitted that there was an incident where the petitioners were abused and assaulted and that their FIR was also lodged against the FIR maker and others. Submitting that the instant FIR is false and it was the rival group which committed the crime, the Ld. advocate has prayed for anticipatory bail for the petitioners.

Ld. PP-in-charge, Birbhum has raised objection by highlighting the fact that the investigation has just started and it will not be proper to give any clean chit to the petitioners.

After hearing both sides and after scrutiny of the CD, it comes to light that the incident genuinely happened in which both sides were involved. From the documents produced, it transpires that a couple of persons suffered injuries and an investigation has required for unearthing the actual facts. However, after taking note of the existence of two cases a FIR and a counter FIR and after taking note of the nature of injuries this Court is of the opinion that arresting the accused persons will not be necessary for proper investigation. Since after 10.08.2026 when the other co-accused persons were allowed pre-arrest bail, there is no substantive development in the process of investigation. In that view of the matter, this Court is inclined to enlarge the petitioners on anticipatory bail. Accordingly, prayer for anticipatory bail is **allowed**.

Hence, it is,

Ordered

that in the event of arrest, petitioners, namely, (1) Sarathia Saha @ Shanti Saha and (2) Apurba Saha, may be released on bail of Rs.2,000/- each with one surety of like amount, subject to the satisfaction of the Arresting Officer of this case on condition that the petitioners shall abide by the provision as laid down in section 482(2) of BNSS with

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condition that the male petitioners shall meet the IO once a week till 31st August, 2026 and till completion of investigation, whichever is earlier.

Let a copy of this order along with the T.C.R. of G.R. Case No.1013 of 2026 be sent to the Ld. Chief Judicial Magistrate, Suri, 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/- Subhendu Saha
Sessions Judge, Birbhum.
In-charge

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In-charge