

District: Purba Bardhaman.

In the Court of the Sessions Judge, Purba Bardhaman, at Burdwan.

Present: Sri Syama Prasad Chattopadhyay (WB01067),
Addl. Sessions Judge, F.T.C. 2nd Court, Burdwan
Sessions Judge-in-Charge, Burdwan

Criminal Misc. Case No. 441 of 2026

(CNR NO. WBBD 01 001142-2026)

Md. Saddam & 3 Ors. - versus- The State

Order no. 02 dated 27.03.2026:

The application for anticipatory bail under Section 482 of B.N.S.S., filed on behalf of the accused petitioners namely 1. Md. Saddam, 2. Ashema Khatun @ Asema Bibi, 3. Md. Ramjan, and 4. Najema Begum @ Najma Bibi, who apprehend their arrest in connection with Burdwan P.S. Case No.262 of 2026 dated 09.03.2026 U/Ss 126(2)/115(2)/117(2)/109(1)/3(5) of B.N.S. is taken up for hearing.

L.C.R. received. C.D. is also produced. Heard both sides.

At the time of hearing, Learned Advocate for the petitioners submitted that he does not want to press the prayer for anticipatory bail in respect of the accused petitioner nos. 1. Md. Saddam, and 2. Ashema Khatun @ Asema Bibi, and with the permission of the Court, he puts an endorsement on the application to that effect. Accordingly, the prayer for anticipatory bail of the petitioner nos. 1. Md. Saddam, 2. Ashema Khatun @ Asema Bibi, stands rejected being not pressed.

Prayer of the petitioner nos. 3& 4 are taken into consideration.

At the time of hearing, the de facto complainant is present in Court and files an affidavit along with a Vokatnama stating therein that inadvertently he impleaded his parents i.e. the petitioner nos. Md. Ramjan, and 4. Najema Begum @ Najma Bibi and that he has no objection if the prayer for anticipatory bail of those petitioners is allowed by the Court.

Perused the materials on record and in the C.D. Minutely perused the statements taken u/s 182 of B.N.S.S. and compared the same with other materials collected by the I.O. including the injury report.

It is submitted by the Ld. Advocate that the present accused petitioners nos.3 and 4 are the parents of the complainant. They are innocent and are not involved in the commission of the alleged offences. They have been falsely implicated in this case. Whatever mischief has been done, that was done by the petitioner nos.1 Md. Saddam and 2. Ashema Khatun @ Asema Bibi. He further submits that no such application of the present petitioners has either been moved before or rejected by the Hon'ble Court or by this Court on any earlier occasion. Hence, he prays for

granting anticipatory bail to the petitioners on any condition as this Court deem fit.

Objection raised by the Ld. P.P-in-Charge.

Rummaging the materials available on record and in the C.D., I find that the allegations are mainly against the accused petitioner no.1 Md. Saddam. F.I.R. was registered on 09.03.2026 over the incident happened on 07.03.2026.

Considering the facts and circumstances and the materials on record and in C.D., I am of the view that there is no need of custodial interrogation of the petitioner nos. 3. Md. Ramjan, and 4. Najema Begum @ Najma Bibi. Accordingly, their prayer u/s 482 of B.N.S. is allowed.

In the event of arrest of the petitioners no. 3. Md. Ramjan, and 4. Najema Begum @ Najma Bibi, in connection with the above noted case, they may find bail of Rs. 3,000/- each with two sureties of like amount i.e. Rs. 1,500/- each, subject to the satisfaction of the arresting officer, on the usual conditions as stipulated in Section 438(2) of Cr. P. C. on condition that the petitioner no.3 Md. Ramjan shall meet the I/O of the case once in a week for the next three months or till submission of report by the I/O, whichever is earlier.

The record of G.R. Case be sent back to the concerned Court together with a copy of this order for information and necessary action.

C.D. be returned.

Instant Criminal Misc. Case is thus disposed of.

Dictated & corrected by me

Sessions Judge-I/C.
Purba Bardhaman,

Sessions Judge-in-Charge,
Purba Bardhaman