

IN THE COURT OF SESSIONS JUDGE, DAKSHIN DINAJPUR AT BALURGHAT.

Present : Shri Anil Kumar Kushwaha (JO Code WB00945)

CrI. Misc. Case No.78 of 2026

CNR : WBDD01-000255-2026

Order No.05, dt.10.03.2026 :

This is an application u/s-482 of BNSS which has been preferred by the accused-petitioners namely-1. **Biswanath Das** and 2. **Nayan Das**, in connection with G.R. Case No.215/2026 arising out of Patiram P.S No.21/2026, dated 07.02.2026, u/s-126(2)/118(2)/109(1)/85/3(5) of BNS, R/W Section 3/4 of the D.P Act.

The Ld. Advocate for the accused-petitioners and the Ld. P.P, both are present in Court.

De-facto complainant appeared alongwith her Ld. Advocate and filed an objection petition. Let the same be kept with the record.

Before commencing the hearing of the instant application, this Court specifically queried from the Ld. Advocate representing the accused-petitioners and the Ld. P.P, as to whether any application for bail has been disposed of earlier by any superior Court or if any such similar application is pending in any other Court having jurisdiction to adjudicate the same.

Both, the Ld. Advocate representing the accused-petitioners and the Ld. P.P replied in the negative.

The Ld. Advocate representing the accused-petitioners submits that in the instant case the accused person has been falsely implicated and he has no nexus with the alleged offence. He submits that on account of the situation as prevailing the accused may be enlarged on anticipatory bail subject to any condition that might be imposed by this Court.

The Ld. P.P opposed such prayer for enlarging the accused persons on bail. Ld. P.P shown me the relevant pages of the CD.

Heard both sides. Perused the said application, the contents of the LCR and CD.

It appears from the case record and case diary that the allegation against the accused-petitioners is grave in nature. There is allegation of torture upon the petitioner since after her marriage. There is allegation u/s-3(5) of BNS as well as dowry demand. Though the I.O failed to collect the injury report from Raiganj Hospital inspite of his best effort. I find that the investigation is at very nascent stage and there is sufficient allegation against the accused-petitioners.

Considering the same the prayer for anticipatory bail of the accused-petitioners is **rejected**.

CrI. Misc. Case stands disposed of.

L.C.R and C.D be returned.

Let a copy of this Order, along with the L.C.R., be sent to the Ld. C.J.M., Dakshin Dinajpur for information and necessary action.

Dictated & corrected by me.

Sessions Judge in-charge,
ADJ, Fast Track Court
Dakshin Dinajpur at Balurghat.

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ADJ, Fast Track Court
Dakshin Dinajpur at Balurghat.