

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

**Present : Shri Anil Kumar Kushwaha (JO Code WB00945)**

**CrI. Misc. Case No.144 of 2026**

**CNR : WBDD01-000430-2026**

**Order No.04, dt.24.03.2026 :**

This is an application u/s-482 of BNSS which has been preferred by the accused-petitioners namely-1. **Asadur Rahaman @ Ashadur Rahaman**, 2. **Sadek Ali @ Saddek Rahaman**, 3. **Rebina Khatun @ Rabina Khatun**, 4. **Baby Sultana** and 5. **Rina Parvin @ Rina Parbhin**, in connection with G.R. Case No.260/2026 arising out of Banshihari P.S Case No.67/2026, dated 26.02.2026, u/s-329(4)/115(2)/117(2)/109(1)/3(5) of BNS.

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

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 persons have been falsely implicated and they have 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.

I find from the case record and the materials collected by the I.O in the CD at page no.40 as well as page no.14 to 16 that over the issue of drainage water flowing on the road and towards the house of the accused causing nuisance, a dispute arose in between the parties to this case and accordingly case and counter case was initiated by both parties. The injury sustained by the injured Najira Bibi also do not inspire confidence for rejection of the prayer of the petitioners for anticipatory bail as their custodial interrogation is also not required here in this case.

Accordingly, the prayer for anticipatory bail of the accused-petitioners is **allowed**.

In the event of the arrest of the accused-petitioners namely-1. **Asadur Rahaman @ Ashadur Rahaman**, 2. **Sadek Ali @ Saddek Rahaman**, 3. **Rebina Khatun @ Rabina Khatun**, 4. **Baby Sultana** and 5. **Rina Parvin @ Rina Parbhin**, be released on bail by executing bond of Rs.5,000/- each, with two sureties of Rs.2,500/- each, subject to the satisfaction of arresting officer. The accused-petitioners are further directed to comply with the provisions U/S-482(2) of BNSS.

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. A.C.J.M., Gangarampur at Buniadpur for information and necessary action.

Dictated & corrected by me.

Sessions Judge in-charge,  
Dakshin Dinajpur at Balurghat.

Sessions Judge in-charge,  
Dakshin Dinajpur at Balurghat.