

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

Present : Shri Ansuman Chattopadhyay (JO Code WB00820)

Crl. Misc. Case No.408 of 2026

CNR : WBDD01-001009-2026

Order No.03, dt.03.07.2026 :

This is an application u/s-482 of BNSS which has been preferred by the accused-petitioners namely-**1. Manjarul Alam, 2. Masedur Rahaman, 3. Mafijur Rahaman, 4. Nashima Bibi @ Nashima Khatun, 5. Rejina Bibi @ Rejina Khatun, 6. Saidur Rahaman and 7. Saira Bibi @ Sahera Bibi**, in connection with G.R. Case No.822/2026 arising out of Banshihari P.S Case No.209/2026, dated 01.06.2026, u/s-115(2)/117(2)/118(2)/126(2)/74/3(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.

It appears from the case record and case diary that the alleged manner of assault as stated in the written complaint u/s-175(3) BNSS differs substantially from the manner as detailed by two of the witnesses in their statements u/s-183 BNSS. The injury reports as lying in the page no.54 and 56 of the CD also do not tally with the allegations labeled in the FIR.

In such circumstances, keeping in view the nature of injury as revealed from the said two injury reports, I find that there should not be any necessity of custodial interrogation of the instant accused-petitioners.

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

In the event of the arrest of the accused-petitioners namely- **1. Manjarul Alam, 2. Masedur Rahaman, 3. Mafijur Rahaman, 4. Nashima Bibi @ Nashima Khatun, 5. Rejina Bibi @ Rejina Khatun, 6. Saidur Rahaman and 7. Saira Bibi @ Sahera Bibi**, 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, with further condition that the male accused-petitioners no.1, 2, 3 and 6 shall meet the I.O once in every ten days till submission of charge sheet.

Crl. 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.