

CRIMINAL MISC.CASE NO. 80 OF 2026
CIS NO. 68 OF 2026
JO CODE WB00784

Order No: 03, dt. 24.03.2026

This is an application u/S. 482 of BNSS filed by the present accused-petitioner namely **Smt. Abigail Rai @ Swikriti Rai** apprehending pre-arrest in connection with Pradhan Nagar P.S. case No. 108/2026 dated 07.02.2026 u/Ss. 316(2)/318(4)/338/336(3)/61(2) of BNS, 2023 corresponding to GR case No. 415/2026 pending before the Ld. ACJM, Siliguri.

Ld. Public Prosecutor as well as Ld. Lawyer for the accused / petitioner are present.

I.O. is present personally along with the case diary.

I have heard the investigating officer present before this Ld. Court as well as Ld. Advocate for the accused / petitioners and Ld. District P.P. for the prosecution.

I have also gone through the case diary produced by the investigating officer as well as the LCR produced.

Having heard the submission made by the Ld. Advocate for the accused / petitioner as well as the Ld. Public Prosecutor for the prosecution and after going through the LCR and case diary I find that the present petitioner was working as a receptionist in the institution ASHA Paramedical and Nursing Institute offering admission to certain qualifications as medical laboratory technology, ICU technician, Operation Theater Technician, Radiology and Imagine Technology etc. and knowingly that the said institute has not obtained any permission for running the institute from the appropriate authority and no such courses were available there for which the institution has given ad for admission to paramedical and nursing courses used to convince the aspirants contacting the institute personally or over phone knowing about the courses available, to get themselves admitted in the institute at the earliest opportunity otherwise the seats will be going to be filled at any time and they may loss the opportunity for the year and in this way facilitated the institution to cheat the aspirants taking admission there.

Considering the connivance of the present accused / petitioner with the institution and her conduct in not giving the clear information about the institution to the aspirants the liability of the present accused / petitioner along with the institute in cheating the aspirants cannot be denied.

In the circumstances, I do not find that this is a fit case in which the prayer for anticipatory bail as prayed for by the accused / petitioner requires to be allowed.

Prayer for anticipatory bail as prayed for by the accused / petitioner is accordingly rejected.

The Criminal Misc Case is thus disposed of.

Return the C.D.

Let the LCR along with a copy of order be sent to the Ld. A.C.J.M., Siliguri for information.

Let another copy of order be sent to the I.O./I.C. Pradhan Nagar PS for information.

Dict. & corrected by me

Sd/-
Sessions Judge, Darjeeling(I/C)

Sd/-
Sessions Judge, Darjeeling(I/C)