

IN THE COURT OF THE SESSIONS JUDGE, PURBA MEDINIPUR AT TAMLUK.

Present : Shib Shankar Ghosh (JO Code WB00872)
Sessions Judge-in-charge, Purba Medinipur

Crl. Misc. Case No.225 of 2026

CNR : WBEM0100-1166-2026

G.R. Case No.632/2026 arising out of **Tamluk P.S. Case No. 149/2026**, dated **01.03.2026**,
u/S- 126(2)/115(2)/117(2)/109/3(5) of the B.N.S.

Order No.03, dt. 25.03.2026 :

This is an application u/S-482 of B.N.S.S. moved by the Ld. Advocate for the accused/petitioners, namely, 1) **Sk Nijamuddin**, 2) **Sk Mustafa @ Sekh Mustafa**, 3) **Sk Asadulla**, 4) **Jahanara Bibi @ Jahanara Khatun**, 5) **Hareja Bibi** and 6) **Rajina Bibi @ Asia Khatun** praying for anticipatory bail.

Ld. Advocate for the accused/petitioners and the Ld. P.P both are found present.

At the outset, learned Advocate for the accused/petitioners submits that no application for anticipatory bail has earlier been rejected by the Hon'ble Court or is pending for disposal before the Hon'ble Court. Learned Advocate draws the attention of this Court to the affidavit relating to such fact. Ld. PP in charge does not dispute the submission of his ld. counterpart.

Ld. Advocate for the accused/petitioners submits that there is dispute between the parties regarding a baram pathway for which a civil suit is also pending and there is case and counter case between the parties and these accused/petitioners have been falsely implicated in this case. He, thus, has prays for anticipatory bail of the accused/petitioners on any condition.

Ld. P.P in-charge refers to the C.D and raises objection.

The de facto complainant files bail objection petition. Ld. Advocate appearing for the de facto complainant raises objection against the prayer for bail of the accused/petitioners.

Heard both sides. Considered.

Perused the petition, case record and C.D. as well.

The allegation is of assault of the complainant and her husband by the accused persons. Present accused/petitioners allegedly has hit on the head of the husband of the complainant with hammer. The husband of the complainant was admitted to hospital for seven days. Injuries were found on the scalp and multiple blunt trauma are also seen. Injury on his elbow is also seen. Head appears to be a vital part of the body and any injury on the head is considered as serious one. Considering the nature of injury, this Court is not inclined to give the benefit of anticipatory bail to the accused/petitioner no. 1. However, evidence so collected and materials so available in C.D., there appears to be no justification in apprehension of other accused/petitioners for their custodial interrogation for advancement of further course of investigation. As such, they may be given the benefit of anticipatory bail.

Accordingly, the prayer for anticipatory bail of the **accused/petitioner no. 1 namely, Sk Nijamuddin** stands **rejected** and the prayer for anticipatory bail of the **accused/petitioners no. 2 to 6** stands **allowed**.

In the event of arrest, the accused/petitioners no. 2 to 6 namely, **Sk Mustafa @ Sekh Mustafa, Sk Asadulla, Jahanara Bibi @ Jahanara Khatun, Hareja Bibi** and **Rajina Bibi @ Asia Khatun**, be released on bail by executing bond of **Rs. 2,000/-** each with one registered surety each of like amount, subject to the satisfaction of arresting officer and on condition that they shall abide by the provisions as enumerated in section 482(2) of B.N.S.S. and **with further condition that they shall surrender before the Court of ld. C.J.M., Purba Medinipur within two weeks from the date of passing of this order, i.d., the order for bail shall automatically stand cancelled.**

Crl. Misc. Case stands disposed of.

C.D. & T.C.R be returned.

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

Dictated & corrected by me,

Sd/-

Sessions Judge-in-Charge,
Purba Medinipur.

Sd/-

Sessions Judge-in-Charge,
Purba Medinipur.