

Cr. Misc. Case No. 922/2026
CNR No. WBHW0100 2383 2026
Present: Subhash Kumar Kar
Sessions Judge, Howrah.
J.O. Code – WB00592

Order No.03 dated 09.06.2026.

The application u/S.482 BNSS arising out of Bagnan P.S. Case No. 239 of 2026 dated 24.04.2026 u/Ss. 324(2)/115(2)/117(2)/76/303(2)/351(2)/3(5) of BNS filed by the accused/ petitioners namely, 1] Babita Maity & 2] Kalpana Maity, is taken up for hearing.

The petitioners have stated on affidavit that no application has been pending or rejected before or by the Hon'ble High Court till date.

Perused the petition and the C.D. Heard both sides.

Ld. Advocate appearing for the petitioners submitted that there is a civil dispute pending in between the parties and the present FIR has been lodged on false and fabricated allegations and it is prayed to allow the prayer for anticipatory bail.

Ld. P.P appearing for the State referred the relevant portion of the C.D and submitted to reject the prayer for anticipatory bail.

On perusal of the record it appears that this case relates to the alleged offence punishable u/Ss. 324(2)/115(2)/117(2)/76/303(2)/351(2)/3(5) of BNS, and it is alleged in the FIR that on 01.03.2026 the de facto complainant came to her native place and on 03.03.2026 she returned to Kolkata and thereafter she was informed over phone that the accused Shyamal Maity illegally demolished one of the pillar of the house of the de facto complainant and he also caused mischief to the sun-shed and other part of the building and he also constructed one wall overlooking the window of the de facto complainant and on 05.03.2026 she again came to her native house and raised protests against the act of the accused and as a result, the present petitioner and other two accused Shyamal Maity and Ranjit Maity being armed with bamboo, rod, etc. started abusing her and assaulted her and outraged her modesty.

On perusal of the materials lying in the C.D., I do not find any materials suggesting the custodial interrogation of the petitioners and I do not find any impediment in allowing the prayer for anticipatory bail of the petitioners.

Hence, it is

Ordered -

that the application under section 482 of BNSS filed by the accused/ petitioners is considered and allowed.

Accordingly, in the event of arrest accused/petitioners namely, 1] Babita Maity & 2] Kalpana Maity, shall be released forthwith on furnishing bond of Rs.1,000/- each with one regd. Surety of like amount, subject to the satisfaction of the Arresting Officer and on condition as laid down under Section 482(2) BNSS.

C.D and T.C.R be returned.

The Cr. Misc. Case is thus disposed of.

Let a copy of the order be sent to the Ld. A.C.J.M., Uluberia for information and taking necessary action.

Dictated & corrected by me

S. J.

Sessions Judge, Howrah