

Criminal Misc. Case – 312 of 2026
C.N.R. No. WBJP01-000879-2026

Order No. 02 dated 17.03.2026

The application u/s 482 of B.N.S.S. filed by the accused-petitioner, namely, Bibiran Nechha, praying for anticipatory bail in connection with Malbazar P.S. Case No.529/2025 dated 25.11.2025 u/s-103(1)/3(5) of B.N.S., corresponding to P.T.N. No.WBJP02P006953/2025, is taken up for hearing.

Ld. Lawyer for the accused-petitioner submitted that no bail petition has ever been filed in connection with this case before any higher Court on any earlier occasion and an affidavit has also been filed on behalf of the accused-petitioner in support of such contention by the Ld. Defence Lawyer and the Ld. P.P, Jalpaiguri conceded to the fact as submitted by the Ld. Defence lawyer.

It is the case of the accused-petitioner that the present accused-petitioner is the mother-in-law and she has been falsely implicated in this case out of grudge and vendetta. It has also been contended that the other co-accused persons have been granted bail by this court on earlier occasion. It has been contended further that chargesheet in connection with this case has already been submitted. Considering the present facts and circumstances, it is prayed that this accused-petitioner may be granted with anticipatory bail.

Ld. Public Prosecutor, Jalpaiguri, opposed the prayer for anticipatory bail.

Heard the Ld. Lawyer for the accused-petitioner and the Ld. Public Prosecutor, Jalpaiguri.

Perused the application under Sec.482 of B.N.S.S., T.C.R and the case diary. Considered.

Upon perusal of the materials available before this court, it appears that on the basis of written complaint by the brother of the deceased case was initially started under Sec.85/103(1)/3(5) of B.N.S. Here, it is alleged that the victim was murdered by the husband and other members of in-laws house. After completion of investigation, I.O. has submitted chargesheet under section 103(1)/3(5) of B.N.S. Principal accused being the husband of the deceased and others are already on bail. Present accused-petitioner is the mother-in-law of the deceased who is a senior citizen. Since all the co-accused persons are on bail and chargesheet has been submitted, no purpose will be served by detaining the present accused-petitioner in custody. Accordingly, I find no reason not to allow the prayer for anticipatory bail filed u/s 482 of B.N.S.S. in respect of this accused-petitioner.

Hence, it is

ORDERED

that the instant anticipatory bail application filed u/s 482 of B.N.S.S. stands allowed.

Accordingly, this Court directs that in the event of arrest, the accused-petitioner, namely, Bibiran Nechha, shall be released on bail upon furnishing a bond of Rs.4,000/- with two (2) sureties of Rs.2,000/- each, subject to the satisfaction of the arresting officer, subject to the compliance of the condition as laid down in sub-section (2) of Section 482 of B.N.S.S.

Send a copy of this order along with T.C.R. to the Ld. C.J.M., Jalpaiguri, for information and taking necessary action.

Return C.D.

Thus, the Criminal Misc. case is disposed of.

Dictated & corrected by me,

Sessions Judge, Jalpaiguri
(in-charge)
(WB00710)

Sessions Judge, Jalpaiguri
(in-charge)
(WB00710)