

Criminal Misc. Case – 350 of 2026
C.N.R.No. - WBJP01000998-2026

Order No. 02 dated 24.03.2026

The application u/s 482 of B.N.S.S. filed by the accused-petitioners, namely, 1. Yusuf Ali @ Ipe Ali, 2. Munni Khatun @ Muskan Khatun, 3. Mustak Ansari @ Mustak and 4. Nurbanu Begam, praying for anticipatory bail in connection with Dhupguri P.S. Case No.70/2026 dated 06.03.2026 u/s-109/ 115(2)/ 3(5)/329(4)/74/85 of B.N.S., corresponding to PTN No.WBJP02P001489/2026, is taken up for hearing.

Ld. Lawyer for the accused-petitioners 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-petitioners 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.

Ld. Lawyer for the accused-petitioners has submitted that the present petitioners have been falsely implicated in this case out of personal grudge and vendetta. It has also been contended that no allegation is made against husband, only allegations are made against the present petitioners who are in-laws members of the defacto complainant and allegations are generalized in nature. Considering the present facts and circumstances, the accused-petitioners may be granted with anticipatory bail on any condition.

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

Heard submission of the Ld. Lawyer for the petitioners and the Ld. Public Prosecutor, Jalpaiguri.

Perused the application under Sec.482 of B.N.S.S., T.C.R and the C.D. and materials on record.
Considered.

In this case husband has not been framed as accused by the defacto complainant. The petitioners are the members of the in-laws house and all of them do not reside in the same place where the victim and her husband reside. It is the allegation against the petitioner No.3, Mustak Ansari that on the date of incident he tried to disrobe the defacto complainant with a view to molest and throttle her for which section 109(1) and 74 of B.N.S. has been mentioned in the formal F.I.R. There is no pagination in the C.D. Only OPD ticket dated 28.02.2026 is mentioned and medical papers with regard to follow-up treatment of the defacto complainant is not available in the C.D. I find nothing from the medical report i.e. OPD ticket for which the provision of section 109 can be attracted at this stage. Apart from that, according to F.I.R., the alleged incident occurred on 27.02.2026 and F.I.R. was lodged on 06.03.2026.

Considering the facts and circumstances of the case and the materials available in the C.D., I am inclined to allow the prayer for anticipatory bail filed u/s 482 of B.N.S.S. in respect of the present petitioners.

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 petitioners, namely, 1. Yusuf Ali @ Ipe Ali, 2. Munni Khatun @ Muskan Khatun, 3. Mustak Ansari @ Mustak and 4. Nurbanu Begam, shall be released on bail upon furnishing a bond of Rs.3,000/- each with two (2) sureties of Rs.1500/- 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. on condition that the accused-petitioners shall not make any threat, intimidation and otherwise influence the witnesses of this case.

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)