

Criminal Misc. Case – 358 of 2026
C.N.R. No. WBJP01-01008-2026

Order No. 03, dated 07.04.2026,

At the outset of hearing, Ld. Advocate for the accused-petitioners has not pressed the prayer for anticipatory bail in respect of accused-petitioners No **1. Bishnu Roy, 2. Ajit Roy** by making his endorsement on the bail application. Accordingly, their prayer for anticipatory stands **rejected being not pressed**.

Now the application u/s 482 of B.N.S.S. filed by the accused-petitioners, namely,, 3. Smt. Renuka Roy and 4. Smt. Sanchita Roy, praying for anticipatory bail in connection with Maynaguri P.S. Case No.124/2026 dated 15.03.2026 u/s- 126(2)/115(2)/117(2)/303(2)/3(5)/324/74 of B.N.S, 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.

It is the case of the accused-petitioners that they have been falsely implicated in this case out of personal grudge and vendetta and some family dispute by and between the complainant and the accused-petitioners along with their family members. It has been also contended that actual case reveals otherwise than it has been narrated in the written complaint. It has been also contended that this complaint is a counter blast of the complaint as lodged by the accused-petitioner No.4 against this complainant on 14.03.2026. However, considering the present facts and circumstances of the case and also the stages of investigation, it is prayed that the present accused-petitioners may be granted with anticipatory bail subject to any condition with a promise to cooperate with the investigation.

Ld. Public Prosecutor, Jalpaiguri, appearing for the State has submitted that injury report is lying in the C.D. which will speak for itself regarding the nature of injury. Furthermore, there was a statement of the victim as recorded under sec.183 of BNSS which will speak for itself regarding the backdrop of the alleged incident of offence. However, he has submitted for passing necessary order.

Heard both the sides.

Perused the T.C.R and the case diary. Considered.

Upon perusal of the T.C.R. and the C.D. as submitted by the Ld. Public Prosecutor, Jalpaiguri, and also after going through the record including the F.I.R, written complaint and other incriminating materials lying in the C.D. like injury report and statement of the victim recorded under sec.183 of BNSS etc. and also considering the submissions of the Ld. Advocate for the accused-petitioners and Ld. Public Prosecutor, Jalpaiguri appearing on behalf of the State, it appears to this Court that there was an allegation of physical assault and outraging of modesty by the accused-petitioner No.1 along with other accused-petitioners. However, there was case and counter case by and between the accused-petitioners and the complainant herein. Moreover, from the injury report, it appears that injury sustained by the victim is simple in nature. Considering the present facts and circumstances of this case and also considering the present stages of investigation, at this stage, this court does not find any justification for custodial interrogation of the present accused-petitioners Nos.3 & 4.

In view of that, this Court is inclined to allow the prayer for anticipatory bail subject to certain conditions.

Hence, it is

ORDERED

that the instant anticipatory bail application filed by the above-named accused-petitioners No.3 & 4 stands allowed.

Contd Order No.3 dated 07.04.2026

Accordingly, this Court directs that in the event of arrest, the accused-petitioners, namely, 3. Smt. Renuka Roy and 4. Smt. Sanchita Roy, shall be released on bail upon furnishing a bond of Rs.5000/- each with two (2) sureties of Rs.2500/- 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. and on further condition that the accused-petitioners shall cooperate with the investigation as and when called on and they will not enter into any further dispute with the complainant or inflict any kind of criminal atrocity against the complainant, in default, necessary order will be passed.

Since the accused-petitioners No.3 & 4 are female, they should not be called on at the P.S. without presence of any female police officer at the P.S.

Send a copy of this order along with T.C.R. to the learned Chief Judicial Magistrate, 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
(WB01135)

Sessions Judge, Jalpaiguri
(WB01135)