

Criminal Misc. Case – 393 of 2026
C.N.R. No. WBJP01-001105-2026

Order No. 03, dated 07.04.2026.

The application u/s 482 of B.N.S.S. filed by the accused-petitioner, namely, Jyotika Roy @ Juthika Roy , praying for anticipatory bail in connection with Women P.S. Case No.24/2026 dated 23.02.2026 u/s- 85/80/103/61/3(5) of B.N.S, 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 a case of the accused-petitioner that she has been falsely implicated in this case out of personal grudge and vendetta and on the basis of some misconception and misunderstanding as it appears from the written complaint. It has been also contended that the actual fact reveals otherwise than it has been narrated in the written complaint. Over and above, the accused-petitioner is old and ailing senior citizen person being a female widow and suffering from various ailments and she has not been involved with any kind of alleged incident as allegedly stated in the written complaint in connection to this case. It has been also contended that after completion of investigation chargesheet has already been submitted and there is nothing remained for investigation. So, there is no need for further custodial interrogation of this accused-petitioner. Considering the present facts and circumstances of the case, the present accused-petitioner may be granted with anticipatory bail subject to any condition to attend the court proceeding on day to day basis.

Ld. Public Prosecutor, Jalpaiguri, appearing for the State has submitted that initially the case has been instituted under Section 103/80/85 along with other sections of B.N.S. However, after completion of investigation chargesheet has been submitted under sections 85/80/61/3(5) of B.N.S. However, he has submitted that the court may pass 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, chargesheet and other incriminating materials lying in the C.D. including inquest report, P.M. report etc. and also the documents as submitted on behalf of the accused-petitioner and also considering the submissions of the Ld. Advocate for the accused-petitioner and Ld. Public Prosecutor, Jalpaiguri appearing on behalf of the State, it appears to this Court that there is an allegation of matrimonial dispute resulting to homicidal death of the victim, daughter of the defacto complainant. However, after completion of investigation chargesheet has already been submitted. At this stage, considering the present facts and circumstances of this case, this court does not find any justification for custodial interrogation of the present accused-petitioner for the sake of investigation.

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-petitioner stands allowed.

Accordingly, this Court directs that in the event of arrest, the accused-petitioner, namely, Jyotika Roy @ Juthika Roy , shall be released on bail upon furnishing a bond of Rs.10,000/- with two (2) sureties of Rs.5000/- 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-petitioner shall attend the court proceeding on day to day basis without any fail, in default, necessary order will be passed.

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)