

Criminal Misc. Case – 510 / 2026
C.N.R.No. - WBJP01-001461-2026
J.O Code- WB00656

Order No. 07 dated 16.06.2026

The application for u/s 482 of B.N.S.S. filed by the accused-petitioner, namely, Sheikh Samjad Ali, praying for anticipatory bail in connection with New Jalpaiguri P.S. Case No.211/2026 dated 06.04.2026 u/s-118(2)/109/74/76/123/3(5) of B.N.S., corresponding to PTN No.WBJP02P002147/2026, is taken up for hearing.

Ld. Defence Lawyer has submitted that no bail petition has ever been filed in connection with this case before any Higher Court on any earlier occasion. An affidavit has been by this Ld. Defence Lawyer in support of this submission.

Ld. Public Prosecutor, Jalpaiguri, has also submitted that no bail application of this accused-petitioner is pending or was rejected by any higher forum as it appears from the C.D.

Ld. Defence Lawyer has submitted that there is a long pending dispute between the victim and this accused-petitioner in respect of landed property and that dispute is still continuing. It is again submitted that these accused-petitioner is not in any way connected with the alleged occurrence. Several civil suits are pending between the parties. It is further submitted that prior to lodging this case, a criminal case was lodged against this victim and the complainant and also against some other associates of the victim by Md. Khalilullah Seikh/ brother of the victim. It is also submitted that he has been falsely implicated in this case. There is no chance of his absconding since he has his permanent place of residence. In view of above, it is prayed that the accused-petitioner may be enlarged on anticipatory bail on any condition.

Ld. Public Prosecutor, Jalpaiguri, has submitted that the accused-petitioners are father, sister and some other relatives of the injured victim. The C.D. gives out the materials against this accused-petitioner. He opposes the prayer for anticipatory bail.

Ld. Advocate for the defacto complainant appears before this court by filing fresh Vakalatnama. One written objection is also filed by the defacto complainant against the prayer for anticipatory bail of this accused-petitioner.

Heard the Ld. Public Prosecutor, Jalpaiguri, the Ld. Defence Lawyer and the Ld. Advocate for the defacto complainant.

I have carefully considered the materials on record and the C.D. including the injury report of the victim and the statement of the victim recorded under sec.183 of BNSS. I have also considered the written objection filed by the defacto complainant.

I find that the offence alleged to have been committed is very serious in nature. F.I.R. gives out that a sharp cutting knife was used to kill the victim girl. Therefore, intention of the accused-petitioner is very much clear. Considering the materials in the C.D., it is felt that custodial interrogation of these accused-petitioner is absolutely necessary for the purpose of investigation. Hence, I am not inclined to give the benefit of pre-arrest bail to the accused-petitioner.

Therefore, the prayer for anticipatory bail filed by the accused-petitioner, namely, Sheikh Samjad Ali, in connection with the above referred case, is **rejected**.

Let a copy of this order along with T.C.R be sent to the learned C.J.M, Jalpaiguri, for information and taking necessary action.

Return C.D.

The Criminal Misc. case is accordingly disposed of.

Dictated & corrected by me,

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

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