

Criminal Misc. Case – 651 / 2026
C.N.R.No. - WBJP01-001843-2026
J.O Code- WB00656

Order No. 02 dated 16.06.2026

The application for u/s 482 of B.N.S.S. filed by the accused-petitioners, namely, 1. Biswanath Roy, 2. Kaushala Roy @ Koushallya Roy, 3. Tanurshree Roy, 4. Banashri Roy @ Banashree Roy and 5. Somashree Roy @ Somashree Roy Sarkar, praying for anticipatory bail in connection with Dhupguri P.S. Case No.147/2026 dated 20.05.2026 u/s- 85/109(1) of B.N.S., corresponding to P.T.N. No.WBJP02P002907/2026, 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 these accused-petitioners is pending or was rejected by any higher forum as it appears from the C.D.

Ld. Defence Lawyer has submitted that these accused-petitioners have been falsely implicated in this case. They are no was connected with the alleged occurrence. They are innocent. There is no chance of their absconding since they have their permanent place of residence. In view of above, it is prayed that they may be enlarged on anticipatory bail on any condition.

Ld. Public Prosecutor, Jalpaiguri, has left the matter to the discretion of this Court.

Heard the Ld. Public Prosecutor, Jalpaiguri and the Ld. Defence Lawyer.

I have carefully considered the materials on record and the C.D. including the injury report of the victim/ complainant. The defacto complainant is personally present before this court today. I find that she is fit and fine. It is told by her on being asked that she was not admitted in hospital. She was only treated at Maynaguri Rural Hospital on 11.05.2026. From the C.D. itself, I also find that that the nature of injury sustained by the victim appears to be simple. In view of that, it is felt that custodial interrogation of these accused-petitioners is not required for the purpose of investigation. Accordingly, I intend to give the benefit of pre-arrest bail to these accused-petitioners.

Therefore, the prayer for anticipatory bail filed on behalf of these accused-petitioners, in connection with the above referred case, is allowed.

Accordingly, in the event of arrest, the accused-petitioners, namely, 1. Biswanath Roy, 2. Kaushala Roy @ Koushallya Roy, 3. Tanurshree Roy, 4. Banashri Roy @ Banashree Roy and 5. Somashree Roy @ Somashree Roy Sarkar be released on furnishing bond of Rs.3,000/- each with two sureties of Rs.1500/- each, subject to satisfaction of the arresting officer with a direction to comply the conditions contained in Section 482(2) of B.N.S.S. corresponding to previous Section 438(2) of Cr.P.C.

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)**