

Criminal Misc. Case – 365 / 2026
C.N.R.No. - WBJP010010322026
J.O Code- WB00977

Order No. 02 dated 27.03.2026

The application for u/s 482 of B.N.S.S. filed by the accused-petitioners, namely, Jiyarul Haque and 2. Anar Haque @ Anarul Haque, praying for anticipatory bail in connection with Mal P.S. Case No.93/2026 dated 10.03.2026, u/s-126(2)/329(4)/117(2)/303(2)/74/351(3)/3(5) of B.N.S., corresponding to P.T.N. No.WBJP02P001583/2026, is taken up for hearing.

Learned Advocate for the accused-petitioners submits that no bail application filed by the accused-petitioners is either rejected or pending by or before any upper forum including Hon'ble High Court, Calcutta in connection with the instant case.

The bail application filed before this Court by the accused-petitioners also reflect the same and the Ld. Public Prosecutor, Jalpaiguri concedes to such facts.

Ld. Advocate for the accused-petitioners submitted that the present accused-petitioners have been falsely implicated in this case out of personal grudge and vendetta out of dispute between the parties in respected of landed properties. On all such grounds, it is submitted that anticipatory bail should be granted to the accused-petitioners.

On the other hand, Ld. Public Prosecutor, Jalpaiguri raised objection.

Heard both sides.

Perused the materials on record and C.D.

On perusal of the materials available before this Court, it appears that investigation in this case has progressed to a considerable extent and statements of vital witnesses have been recorded. Dispute arose between the parties relating to landed properties. There is no recovery of any stolen article as alleged in the F.I.R. No statement of the victim has been recorded under sec.183 of B.N.S.S. till date.

Considering all the above facts and circumstances, I do not find that custodial interrogation or detention of the present accused-petitioners is required in this case and accordingly, the prayer for anticipatory bail for the present accused-petitioners is allowed.

Hence, in the event of arrest, the accused-petitioners, namely, Jiyarul Haque and 2. Anar Haque @ Anarul Haque be released on furnishing bond of Rs.2,000/- each with one (1) surety of like amount each, subject to satisfaction of the arresting officer and due compliance with usual provisions as laid down under Sec.482(2) of B.N.S.S.

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.

Thus, the Criminal Misc. case is disposed of.

Dictated & corrected by me,

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

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