

**Criminal Misc. Case – 2181 / 2025**  
**C.N.R.No. - WBJP01-005160-2025**

**Order No. 03 dated 06.01.2026.**

The application u/s 483 of B.N.S.S filed by the accused-petitioner, namely, Namita Sarkar, praying for bail in connection with Bhaktinagar P.S. Case No.1186/2025 dated 11.12.2025, u/s-89(2)/221/121(1)/132/324(4)/351(2) of B.N.S., is taken up for hearing.

Heard both the sides.

Perused the materials on record and C.D. Considered.

Ld. Lawyer for the accused-petitioner submits 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. Public Prosecutor, Jalpaiguri concedes to the fact as submitted by the Ld. Defence lawyer.

It is the case of the accused-petitioner that she has been falsely implicated in this case out of some misunderstanding and misinformation as it appears from the *suo moto* written complaint as initiated by A.S.I. Pramod Tamang of Ashighar Outpost under Bhaktinagar P.S. It has also been contended that the actual fact is otherwise than it has been revealed from the *suo moto* written complaint. It has been contended further that there was a public commotion arising out of the death of a local reputed lady after consuming poison and this accused-petitioner is in no way involved in this case as wrongly and in a designful manner the complaint has been narrated on the basis of which Bhaktinagar P.S. Case No.1186/2025 has been initiated. It has been contended further that this accused-petitioner is a female accused-petitioner and she is a person of repute in the locality and he has her own hearth and home and there is no chance of her absconding. Considering the present facts and circumstances of the case, it is prayed that this accused-petitioner may be enlarged on bail subject to any stringent condition with a promise to cooperate with the investigation.

Ld. Public Prosecutor, Jalpaiguri, appearing on behalf of the State has submitted that this accused-petitioner took the leading role in attacking the Police personnel and obstructed their official duty. Over and above, he has submitted that this accused-petitioner also took part to lead the mob for vandalising the house of the Mampi Sarkar on the basis of some allegation regarding local issue arising out of death of one Jharna Sarkar. He has raised strong objection against the prayer for bail. However, he has submitted that there is a further chance of interrogation of this accused-petitioner by taking her either into Police custody or into jailgate interrogation and he has submitted for passing necessary order.

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., *suo moto* written complaint and other incriminating materials in the C.D. including the photographs, the injury report, etc. and 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 this accused-petitioner took the leading role in attacking the Police personnel at the time of discharging of their official duty. Furthermore, she also took the leading role in attacking the house of the Mampi Sarkar on the issue of the death of local lady, namely, Jharna Sarkar, after consuming poison. However, this accused-petitioner being a female accused-petitioner is in custody since 12.12.2025 being a F.I.R. named accused person. Considering the present facts and circumstances of the case, at this stage, there appears no justification for further custodial detention of this accused-petitioner in connection with this case for the sake of investigation. In view of that, this Court is inclined to enlarge the accused-petitioner on bail on **interim basis** subject to certain condition.

Hence, it is

**ORDERED**

that the instant bail application stands allowed.

Accordingly, the accused-petitioner, namely, Namita Sarkar may find **interim bail till 09.02.2026** of Rs.10,000/- with two (2) registered sureties of Rs.5,000/- each, **out of whom one must be a local surety and another must be a registered one**, subject to satisfaction of the Ld. C.J.M., Jalpaiguri, on condition that the accused-petitioner should cooperate with the investigation by attending the I.O. as and when called on and on further condition that she should not involve herself in any kind of criminal atrocity and other activities against Mampi Sarkar and her family members, in default to the above conditions necessary order will be passed.

Send a copy of this order along with T.C.R. to the Ld. C.J.M., Jalpaiguri, for information and taking necessary action.

However, the accused-petitioner being female, should not be called at P.S. without the presence of any lady officer.

Return C.D.

Fix **09.02.2026** for further hearing.

**Dictated & corrected by me,**

**Sessions Judge, Jalpaiguri**  
(WB01135)

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