

In the Court of District & Sessions Judge, Alipurduar.
Criminal Misc. Case No.175/2026
(CNR No. WBJP05-000394-2026)
Present : Sri Pukar Pradhan (J.O.No.WB01097)
Addl. District & Sessions, FTC-II,
In Charge of Sessions Judge, Alipurduar.

Anju Bibi.....accused/petitioner

- Vs -

State of West Bengal

Order No.3 dt.06.03.26

The instant Criminal Misc Case is arisen out of the bail application filed u/s 482 BNSS by the applicant/petitioner **Anju Bibi**, the resident of village Jharna Busty, P.O & P.S. Jaigaon, Dist. Alipurduar, in connection with G.R. Case No.107/2026, corresponding to Jaigaon P.S Case No.11/2026 dt. 18.01.26, u/s 137(2)/140(3) of BNS.

In view of the **Notification No.956 R(JS) dated 21.02.2026** of the Hon'ble High Court, Calcutta and **Notification No.616/1-J/JD/4P-01/09 dated 21.01.2026** of the Judicial Department, Government of West Bengal, and as the Judicial Officers of this station are assigned to the SIR work and the P.O has been armed with power to hear the cases relating to POCSO Act, NDPS Act and other Special Laws, the present Misc case is taken up for hearing.

Learned Advocate appearing for the accused/petitioner submits that the accused/petitioner has not moved any bail application for and on behalf of the accused before the Hon'ble High Court or the Hon'ble Supreme Court and no such application is pending or disposed of before the Hon'ble High Court or the Hon'ble Supreme Court.

Learned Advocate for the accused/petitioner Anju Bibi submitted that she is the mother of the principal accused Ashique Miya who is absconding and her husband Ali Hossain is in J/C since 18.01.26. That apart, there is no such allegation against the present accused/petitioner who is the permanent resident of the locality within the jurisdiction of this Court, hence prays for anticipatory bail.

Learned Public Prosecutor, on the other hand, contended that there is no material in the case diary to suggest that Section 4 of the POCSO Act is attracted at all. Learned Public Prosecutor has also drawn attention of the Court to the statement of the victim girl so recorded u/s 183 of the BNSS and the medical report of the victim girl.

Having heard the submission of Learned Advocate of both sides and the materials so collected by the Investigating Officer as well as keeping reliance upon the statement of the victim girl so recorded u/s 183 of the BNSS, it is seen that there is no such material against the present accused/petitioner Anju Bibi and this Court find that her custodial detention is not needed. Hence, prayer for anticipatory bail u/s 482 BNSS is considered and **allowed**.

In the event of arrest, the accused/petitioner **Anju Bibi** may find **Interim bail of Rs.8,000/-** with two sureties of **Rs.4,000/-** each of like amount, subject to the confirmation by the Learned Special Court, Alipurduar under POCSO Act, on condition to cooperate with the investigation and not to leave the jurisdiction of the Court, and further condition that she shall comply with the requirements as enumerated u/s 482(2) of the BNSS.

Let a copy of this order along with LCR be sent to the learned ACJM, Alipurduar for information and taking necessary action.

A copy of this order also be sent to the Learned Judge, Special Court under POCSO Act as well the I.O.

Thus, the instant Criminal Misc case is disposed of.

Dictated & corrected

by me

Sd/-

Sessions Judge, Alipurduar

IN-CHARGE.

Sd/-

Sessions Judge, Alipurduar.

IN-CHARGE.

OFFICE OF THE DISTRICT & SESSIONS JUDGE,
ALIPURDUAR.

Memo No.

Dated

Copy of order forwarded to :

- 1) Ld. Judge, Special Court under POCSO Act.**
- 2) Ld. ACJM, Alipurduar along with LCR being G.R.107/2026.
- 3) The I.O.

Sessions Judge, Alipurduar.
IN-CHARGE.

