

In the Court of District & Sessions Judge, Alipurduar.

Criminal Misc. Case No.176/2026

(CNR No.WBJP05-000385-2025)

Present : Sri Pukar Pradhan (J.O.No.WB01097)

Addl. District & Sessions, FTC-II,

In Charge of Sessions Judge, Alipurduar.

1) Ajajul Miya @ Ejajul Mia, 2) Ajima Bibi, 3) Aminur Islam.....accused/petitioners

- 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/petitioners namely, **1) Ajajul Miya @ Ejajul Mia, 2) Ajima Bibi, 3) Aminur Islam**, all the resident of village Uttar Simlabari, P.O. Paschim Simlabari, P.S. & Dist. Alipurduar, in connection with G.R. Case No.342/2026, corresponding to Alipurduar Women P.S Case No.12/2026 dt. 18.02.26, u/s 85/109 of BNS.

Learned Advocate appearing for the accused/petitioners submits that the accused/petitioners have 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.

Heard the submission of Learned Advocate for the accused/petitioners namely, **1) Ajajul Miya @ Ejajul Mia, 2) Ajima Bibi, 3) Aminur Islam**, who submitted that the accused/petitioners are the relative of the principal accused and they have been falsely implicated in the present case. It is also submitted that they have permanent hearth and home within the jurisdiction of this Court, as such prays for anticipatory bail on any stringent condition.

Learned Public Prosecutor, on the other hand, raises formal objection and drawn the attention of the Court to the medical report at page no.4 of the case diary as well as to the statement of the victim at page no.11 of the case diary.

Having heard the submission of Learned Advocate of both sides and upon perusal of the medical report, it is apparent that there was only instance of physical assault. Similarly, while giving statement before the police the victim stated that there was an attempt only. Therefore, considering the evidences so collected by the Investigating Officer custodial detention of the accused persons will not serve the purpose at this juncture. Hence, prayer for anticipatory bail is considered and **allowed**.

In the event of arrest, the accused/petitioners namely, **1) Ajajul Miya @ Ejajul Mia, 2) Ajima Bibi, 3) Aminur Islam**, may find bail of **Rs.4,000/- each** with two sureties of **Rs. 2,000/- each** of like amount, subject to the satisfaction of the arresting authority and on condition that they 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 CJM, Alipurduar for information and taking necessary action. A copy of this order be sent to 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. CJM, Alipurduar along with LCR being G.R.342/2026.*

2) *The I.O.*

Sessions Judge, Alipurduar.
IN-CHARGE.