

In the Court of District & Sessions Judge, Alipurduar.

Ref: Criminal Misc. Case No.585/2026

(CNR No.WBJP05-001349-2026)

Present : Sri Ramesh Kumar Pradhan (J.O.No.WB00667)

Sessions Judge, Alipurduar.

1) Smt. Pinki Sarkar, 2) Sri Prakash Sarkar @ Prakash Ch. Sarkar,

3) Smt. Minati Sarkar, 4) Sri Pranab Sarkar @ Pranab Kumar Sarkar,

5) Smt. Rinku Sarkar.....accused/petitioners

- Vs -

State of West Bengal.

Order No.4 dt.08.07.26

The instant Criminal Misc Case is arisen out of the bail application filed u/s 482 BNSS by the applicant/petitioners namely, **1) Smt. Pinki Sarkar, 2) Sri Prakash Sarkar @ Prakash Ch. Sarkar, 3) Smt. Minati Sarkar, 4) Sri Pranab Sarkar @ Pranab Kumar Sarkar, 5) Smt. Rinku Sarkar**, all the resident of Subhashpally, P.O. & P.S. Birpara, Dist. Alipurduar, in connection with G.R. Case No.1269/2026, arising out of Birpara P.S Case No.93/2026 dated 30.05.26, u/s 108/3(5) of BNS.

Heard Ld. Advocate for the accused/petitioners and submitted that deceased first got married with accused Pinki Sarkar but they have no issue and subsequently they got separated and they had also decided for mutual divorce. Since 2019 they were separated. Only allegation against the accused persons are that accused Pinki Sarkar filed several cases against the deceased. There is no direct allegation of payment to commit suicide against the accused persons. All the allegations made against them are false. They are ready to help the I.O in investigation of the matter. Their custody is not required. Hence, their prayer may be allowed.

Ld. Advocate for the accused/petitioners further submitted that no bail application has been filed or pending before any higher forum.

Heard Learned P.P.

Perused the CD as well as gone through the statement of the witnesses recorded u/s 183 BNSS. It is alleged that accused persons have filed several cases against the deceased and they used to harass the deceased. On going through the materials with CD and statement of the witnesses I did not find any direct allegation regarding alleged abetment to commit suicide by the deceased. It appears that since 2019, deceased and accused Pinki Sarkar used to reside separately and they had decided for mutual divorce. Considering as such I did not find any material to require custodial interrogation of the accused persons for the sake of investigation. Hence, their prayer for anticipatory bail is **allowed**.

Accordingly, in the event of arrest, the petitioners namely, **1) Smt. Pinki Sarkar, 2) Sri Prakash Sarkar @ Prakash Ch. Sarkar, 3) Smt. Minati Sarkar, 4) Sri Pranab Sarkar @ Pranab Kumar Sarkar, 5) Smt. Rinku Sarkar**, may find bail of **Rs.5,000/- each** with one surety of like amount, subject to the satisfaction of the arresting officer and also subject to the fulfillment of the condition as required u/s 482(2) of BNSS.

The bail application is thus disposed of. Return the LCR and CD.

Let a copy of this order be sent to the learned CJM, Alipurduar for information and taking necessary action and the I.O.

Dictated & corrected

by me

Sd/-

Sessions Judge, Alipurduar

Sd/-

Sessions Judge, Alipurduar.

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.1269/2026.***
- 2) *The I.O.*

Sessions Judge, Alipurduar.

OFFICE OF THE DISTRICT & SESSIONS JUDGE,
ALIPURDUAR.

Memo No.

Dated

Copy of order forwarded to :

*The Ld. ACJM, Alipurduar along with LCR being **G.R. 955/2026.***

District & Sessions Judge,
Alipurduar.

