

In the Court of Sessions Judge, Murshidabad

Present : Shri Sanjeev Kumar Sharma (JO WB00706)
Sessions Judge, Murshidabad
(In-Charge)

CrI. Misc. Case No.747/2026

Ref. : Raghunathganj PS Case No. 176/2026 dated 08.02.2026
U/s. 109(1)/115(2)/117(2)/126(2)/3(5) of BNS.

1) Rahamat Sk @ Abdul Rahamat Sk
2) Arju Sk @ Arju Sekh
3) Jisan Sk @ Nasiruddin Sk Accused/petitioner(s).
Vs.
The State Opposite Party.

Order No.02 dated 12.02.2026

The record is put up by a petition filed on behalf of the petitioner Nasiruddin Sk.

Another petition is filed praying for passing an order of not to arrest the accused on the ground that the accused is an examinee of Higher Secondary Examination started from 12.02.2026.

Ld. Advocate for the petitioner files copy of Admit Card of accused Nasiruddin Sk.

T.C.R and CD of the case are not lying before this Court. As such, the court is not in a position to look into the merits of the case.

Ld. Advocate for the petitioners files copy of FIR in Raghunathganj PS Case No. 176/2026 dated 08.02.2026 under Sections 109(1)/115(2)/117(2)/126(2)/3(5) of BNS, wherefrom gist of the allegation is found that one Rahamat Sk along with his two associates assaulted the son of the complainant with iron rod and hasua and the victim was admitted at Jangipur SD Hospital. The petitioner is accused No. 3 in the FIR.

Ld. Advocate for the accused petitioner submitted that in case the accused is arrested in connection with this case, he may be deprived of taking his higher secondary examination and he prays for an order so that the petitioner Jisan sk @ Nasiruddin Sk may not be arrested till his higher secondary examinations are over.

Ld. PP leaves the matter at the discretion of the Court.

It is found that 25.02.2026 has been fixed for hearing of the application u/s 482 BNSS. While the petitioner is the accused in connection with cognizable offence and he may be arrested by police, but at the same time, it is also found that the accused is taking his higher secondary examination and the copy of the Admit Card shows that the examination will continue till 24.02.2026. As already found that in absence of TCR and the CD, the court is not in a position to enter into the merits of the case to ascertain the fitness of the application for the anticipatory bail.

In the circumstances, it would be better to leave the matter at the discretion of the IO.

The petitioner Jisan Sk @ Nasiruddin Sk may not be arrested till 24.02.2026, if his immediate arrest is not considered extremely necessary for the purpose of investigation.

Todate (25.02.2026) for hearing the CrI. Misc. Case.

Let a copy of this order be sent to the IO for his information.

Dictd. & Cortd.
by me.

S. J., Msd. (I/C.)

Sessions Judge, Murshidabad
(In-Charge)