

**Crl. Misc. Case No.406 of 2026**

Present : Smt. Sangita Dutta

Sessions Judge, Malda. (*In-charge*)

**Order No.05 dated 07-03-2026**

This is an application u/s 482 of B.N.S.S. filed on behalf of the present accused-petitioners namely, 1. Muntari Khatun @ Muntari, 2. Poli Bibi, 3. Amirul @ Amirul Islam in connection with Kaliachak P.S. Case No.153/2026 dated 28.01.2026 under Sections 126(2)/115(2)/117(2)/118(2)/308(3)/351(2)/3(5) of BNS. The said application is taken up for hearing.

Before proceeding with hearing the said application, this Court specifically queried from the Ld. Advocate representing the present accused-petitioners as to whether any other similar application is pending in either the Hon'ble Court, Calcutta or in the Hon'ble Supreme Court. This Court further queried whether there has been any earlier rejection of any application for bail in an earlier occasion by the Hon'ble High Court or the Hon'ble Supreme Court.

The Ld. District P.P. as well as the Ld. Advocate representing the present petitioners submitted that no such application is pending and/or there is no order of rejection from either the Hon'ble High Court, Calcutta or the Hon'ble Supreme Court.

The Ld. Advocate representing the present accused-petitioners submits that the accused-petitioners herein are innocent and they have been falsely implicated in the instant case. They have no nexus with the offence as alleged. He, therefore, prays for anticipatory bail in respect of the present accused-petitioners on any condition.

The learned District P.P. submits that the instant case is indeed a serious one and allowing the prayer for anticipatory bail would highly prejudice the prosecution. He, therefore, prays for rejection of the prayer for anticipatory bail.

Upon perusal of the LCR and CD it appears that the instant case relates to allegation of Bappi Hoque against the accused-petitioners who happens to be his wife and in-laws regarding physical assault. Considered the injury report available at page 20 of the CD and find that there is one superficial cut on left thumb of the patient/ defacto complainant and it is also seen that the patient was in intoxicated condition at the time of his examination. Considering all, I am inclined to allow the anticipatory bail prayer of the present accused/petitioners.

Hence, it is

**ORDERED**

that in the event of arrest the present accused-petitioners No.1. Muntari Khatun @ Muntari, 2. Poli Bibi, 3. Amirul @ Amirul Islam shall be released upon furnishing bail bond of Rs.5,000/-each with two registered sureties of Rs.2,500/-each, subject to satisfaction of the Arresting Officer. If on bail they will comply the provision u/s 482(2) of BNSS.

In addition to the same the accused-petitioners are directed to surrender before the appropriate Court and pray for regular bail within a fortnight from date.

In compliance of the order passed by this Court, the IO has submitted an intimation through e-mail on the ground stated therein. The intimation is considered and accepted.

Return the L.C.R. and the CD.

The Crl. Misc. Case is thus disposed of.

Dictated & Corrected by me,

Sessions Judge, Malda. (I/C)

Sessions Judge, Malda. (I/C)