

Crl. Misc. Case No.588 of 2026

Present : Smt. Sangita Dutta

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

Order No.02 dated 07-03-2026

This is an application u/s 438 of Cr.P.C.. filed on behalf of the present accused-petitioners namely, 1. Makleshur @ Muklesur Rahaman, 2. Chhobi Bibi @ Sakila Bibi in connection with Pukhuria P.S. Case No.73/22 dated 19.03.2022 under Sections 498(A)/304(B)/306/34 of IPC. 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 it appears that the instant case relates to allegation of Najrul against the accused-petitioners along with another accused regarding matrimonial cruelty and dowry death of the his daughter Ruksana Bibi. Charge sheet has already been submitted in this case on 24.01.2026. Perused the materials available on record and I do not find any particular allegation against these accused/petitioners from the statement of the witnesses available in the record. Considering all, I am inclined to allow the anticipatory bail prayer of the present accused/petitioners.

Hence, it is

O R D E R E D

that in the event of arrest the present accused-petitioners 1.Makleshur @ Muklesur Rahaman, 2. Chhobi Bibi @ Sakila Bibi shall be released upon furnishing bail bond of Rs.10,000/-each with two registered sureties of Rs.5,000/-each, subject to satisfaction of the Arresting Officer. If on bail they will comply the provision u/s 438(2) of Cr.P.C..

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.

Return the L.C.R.

The Crl. Misc. Case is thus disposed of.

Dictated & Corrected by me,

Sessions Judge, Malda. (I/C)

Sessions Judge, Malda. (I/C)