

IN THE COURT OF Sessions Judge in charge, NORTH 24 PARGANAS

Present: **Sri Parag Neogi (WB-00957)**

Sessions Judge in charge, North 24 Parganas.

Criminal Misc. Case No.150 of 2026

Tuktuki Bibi and others V/s The state.

Order no. 03 dated 05.03.2026:

The instant application u/s. 482 B.N.S.S filed by the petitioners, **Tuktuki Bibi, Israil Molla and Mayna Bibi** in c/w Deganga P.S. case No.53/2023 dated 07.02.2023 u/s. 420/468/34 of I.P.C is taken up for hearing and order.

L.C.R received. C.D is also produced.

Heard the learned advocate for the petitioners accused and the learned P.P In-charge.

Ld. Advocate for the petitioners submits that there is a matrimonial discord in between the parties and that the case has been initiated on the basis of petition of complaint under Section 175(3) of B.N.S and that the victim got injunction and also submits that the petitioners have permanent hearth and home and as such they will not abscond and that the entire fact has surfaced in the F.I.R, so there is hardly any need for custodial interrogation and detention. Ld. Counsel further contented that as there is no chance of tampering with evidence or hampering into investigation, their prayer for anticipatory bail may be granted.

It is submitted by Ld. Advocate for the accused that no bail petition is pending before or rejected earlier by this court or by any upper court.

On the other hand, Ld. P.P in charge raises objection, relying on the materials in the C.D. He also submits that the talak-e-toufiz is fake.

Hd. both sides. Perused the C.D. and L.C.R. and materials therein. Considered the rival submissions.

Investigation of the case was at stagnant stage.

So far as the allegation against the accd persons is concerned, considering the role of the petitioners and other materials available in C.D, I am of the opinion that petitioners' custodial interrogation may not be imperative.

Considering all above, I am inclined to allow petitioners' anticipatory bail prayer. Hence, their pre-arrest bail prayer is allowed.

Accordingly, this Court directs that in the event of arrest, the petitioners namely **Tuktuki Bibi, Israil Molla and Mayna Bibi** shall be released on bail upon furnishing a bond of Rs.5,000/- each with two sureties of Rs.2,500/- each of like amount, subject to the satisfaction of the arresting officer, subject to the compliance of the condition as laid down in sub-section (2) of Section 482 of B.N.S.S and on condition that they shall not involve any kind of disputes with the victim and shall not inflict atrocities upon the complainant and they shall not commit any offence while on bail and that they shall attend the Court on each and every date and they shall appear before the Id Court below for regular bail within three weeks.

Return the L.C.R along with a copy of this order to the concerned Court for information and necessary action.

C.D be returned.

The instant C.M.C is disposed of.

Dictated & corrected by me.

Sri Parag Neogi,
Sessions Judge in charge,
North 24 Parganas.

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