

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

Present: **Sri Sanjib Dey (W.B.00679)**

Sessions Judge in charge, North 24 Parganas.

Criminal Misc. Case No.1239 of 2026

Bakibilla Midhe and others V/s The state.

Order no. 03 dated 30.06.2026:

The application for bail under section 482 of B.N.S.S. filed on behalf of the accused petitioners namely **Bakibilla Middhe, Habibilla Middhe and Anchar Ali Middhe** in connection with Minakhan P.S Case no.180 of 2026 dated 06.05.2026 under section 126(2)/115(2)/117(2)/109/351(3)/76/3(5) of B.N.S is taken up for hearing.
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 appearing for the accused/petitioners submits that there is a civil suit bearing Minakhan P.S case no. 101/2006 pending in the Court of Civil Judge (Sr. Dvn.) at Basirhat and in that case, one Jahanara Bibi is the complainant and accused no.3 namely Anchar Ali Middhe is defendant no.5. It is further submitted that there is a long pending dispute between the parties. According to F.I.R, the incident took place on 5.5.2026 in the evening and main allegation is against accused Bakibilla and accused serial nos 2 & 3 are not involved in this case and there is no allegation against them and the accused persons have falsely been implicated in this case and there is no chance of absconding and tampering with evidence and as such the ld lawyer prays for bail. He further submits that no such application of these petitioners has either been moved before or rejected by the Hon'ble Court on any previous occasion. Hence, he prays for grant of bail of the accused petitioners on any condition as deemed fit.

Ld. Public Prosecutor in charge namely Sandip Bhattacharyya opposes the bail prayer and produces the case diary.

Ld. Lawyer for the defacto complainant appears by filing vokalatnama and files photograph of injury of Abu Bakkar and Jahanara Bibi.

Perused the case diary and case record.

On perusal of the case diary, it appears that the injury report of Abu Bakkar shows deep incised wound measuring about 6" x 5 c.m on front head and that the injury report of Jahanara Bibi shows the injury on the frontal region measuring about 8.5 " X 5 c.m and the alleged incident took place on 5.5.2026. Investigation is still in progress.

Considering the nature and gravity of the offence and the stage of investigation, the prayer for anticipatory bail is considered and rejected.

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 thus disposed of.

Dictated & corrected by me.

Sri Sanjib Dey
Sessions Judge in charge,
North 24 Parganas.

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