

Criminal Misc. Case – 615 / 2026
C.N.R.No. - WBJP01-001750-2026

Order No. 03 dated 09.06.2026.

Record is put up on the basis of put-up petition filed by the accused-petitioners on the ground that in the same P.S. connection hearing of another Criminal Misc case being No.616/2026 is fixed today for hearing.

Put-up petition is heard, considered and allowed.

Accordingly, the application u/s 482 of B.N.S.S filed by the accused-petitioners, namely, 1. Dilip Rahaman @ Anamul Haque and 2. Amina Bibi @ Begum, praying for anticipatory bail in connection with Dhupguri P.S. Case No.94/2026 dated 22.03.2026, u/s-69/115(2)/351(3)/3(5) of B.N.S., is taken up for hearing.

Ld. Lawyer for the accused-petitioner submits that no bail petition has ever been filed in connection with this case before any higher Court on any earlier occasion and an affidavit has also been filed on behalf of the accused-petitioner in support of such contention by the Ld. Defence Lawyer and the Ld. Public Prosecutor, Jalpaiguri concedes to the fact as submitted by the Ld. Defence lawyer.

It is the case of the accused-petitioners that they are the brother and mother of the principal accused, Aminur Islam and as such they have been falsely implicated in this case out of personal grudge and vendetta. It has been contended further that they are no way connected with the alleged offence. Considering the present facts and circumstances of the case, it is prayed that this accused-petitioner may be enlarged on anticipatory bail subject to any condition with a promise to cooperate with the investigation.

Ld. Public Prosecutor, Jalpaiguri, opposed the prayer for bail.

Heard the Ld. Lawyer for the accused-petitioner and the Ld. Public Prosecutor, Jalpaiguri.

Perused the application for anticipatory bail filed u/s 482 of B.N.S.S., the T.C.R. and the C.D. Considered.

This is a case u/s-69/115(2)/351(3)/3(5) of B.N.S. The allegation of the defacto complainant is that she was promised to marry and on that pretext, the principal accused, Aminur Islam did physical relation and later on he declined to marry her. On perusal of the C.D., I find that at page No.5 that the victim is a married lady and it further appears from the page No.24 of the C.D. that the victim has 03 children in the wedlock of her marriage. In such background, the victim contracted physical relation with the story of promise to marry to inspire the court to believe at this stage. Moreover the present petitioners are the brother and mother of the principal accused. No incriminating materials is found in the C.D. against these petitioners.

Considering facts and circumstances of the case and also considering the status of the present petitioners, I am inclined to allow the prayer for bail filed u/s 482 of B.N.S.S. in respect of the present accused-petitioner.

Hence, it is

ORDERED

that the instant bail application filed u/s 482 of B.N.S.S. is allowed.

Accordingly, this Court directs that in the event of arrest, the accused-petitioners, namely, 1. Dilip Rahaman @ Anamul Haque and 2. Amina Bibi @ Begum shall be released on bail upon furnishing a bond of Rs.4000/- each with two (2) registered sureties of Rs.2,000/- each,, 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.

Send a copy of this order along with T.C.R. to the learned Chief Judicial Magistrate, Jalpaiguri, for information and taking necessary action.

Return C.D.

Thus, the Criminal Misc. Case is disposed of.

Dictated & corrected by me,

Sessions Judge, Jalpaiguri
(in-charge)
(WB00710)

Sessions Judge, Jalpaiguri
(in-charge)
(WB00710)