

Criminal Misc. Case No. 468 of 2026

Order No. 03

04.06.2026

This is an application under Section 482 of BNSS, filed by the accused/ petitioners namely; **1. Sk. Rafik @ Sk. Afik, 2. Asmina Khatun @ Mina Khatun, 3. Sk. Rajmul @ Sk. Tajamul, 4. Sk. Rajia Begum @ Rajipha Bibi, 5. Sk. Tafajun @ Sk. Tafjol Hussain and 6. Sk. Ramjan**, praying for anticipatory bail apprehending their arrest, in connection with Raghunathpur P.S Case No. 80 of 2026 dated 28.04.2026 under Sections 103(1)/3(5) of BNS, vide G.R. Case No. 238 of 2026.

The prayer for anticipatory bail is moved by the Ld. Lawyer for the accused petitioners.

Ld. Lawyer for the accused submits that no bail application has been filed/pending before the Hon'ble High Court, Calcutta. The present accused petitioner is innocent and falsely implicated in this case. The information to set the Law in motion does not disclose the real state of affairs. If there is any injury at all sustained by the victim on their person, that has not been implicated by the present petitioners. There are omnibus allegations against the present petitioners. Accordingly, Ld. Lawyer for the accused prays for bail.

Ld. P.P. opposes the bail prayer.

Considered the submissions made by both the sides. Perused the T.C.R., F.I.R and CD. Perused the injury reports of Raghunathpur Hospital, Bankura, and SSKM Hospital, where the victim ultimately succumbed to burn injuries. From the treatment records, it appears that in the history column, "accidental fire burn injury" has been recorded. It further appears from the Case Diary that, at the initial stage after sustaining the burn injuries, the victim was unconscious and not in a condition to speak. The father of the victim, in his statement recorded under Section 183 of the BNSS, alleged that the victim had been set on fire by one Tasu, daughter of one of the petitioners, namely Sk. Rafik. From the CD there is nothing which goes to show about presence of any of the petitioner at the place of occurrence at the time of alleged incident. The defence contention is that the accidental fire took place when young girls were playing and trying to burn the seed of tamarind and from the 183 statement the father of the victim has agitated that Tasu set fire from back when the victim resisted to break the eggs of snake but no fire burn injury initially detected on the back side of the deceased of her body. Considering the fact and circumstances and other materials in CD, I do not find any necessity for custodial interrogation of these accused persons for the purpose of investigation as there was no presence of any of the petitioner at the time of incident at the P.O. Hence, the prayer for anticipatory bail is considered and allowed.

In the event of arrest, the accused petitioners be released, on furnishing bond of Rs.2000/- each with one surety, to the satisfaction of the arresting officer and on compliance with the conditions as envisaged u/s 482(2) of BNSS.

The Criminal Misc. Case is, thus disposed of. Return the C.D.

Let a copy of this Order along with the T.C.R. be sent to the Learned A.C.J.M, Raghunathpur, Purulia, for information.

(Dictated & Corrected)

Sessions Judge, Purulia

Sessions Judge, Purulia.
(J.O. Code-WB00587)

Perused the injury report of Raghunathpur, Bankura and SSKM hospital where the victim died due to burn injury and from the treatment sheet it appears that in the history column accident firm burn injury has been recorded. From the initial it appears from the CD as an initial stage of sustained firm burn injury victim was unconscious not in condition to speak. The father of the victim in his 183 statement has alleged about setting fire by one Tasu daughter of one of the petitioner Sk. Rafik. From the CD there is nothing with goes to show about presence of any of the petitioner at the place of occurrence. The defence contention is that accidental fire took place when young girls were playing and trying to burn the seed of tamarind and from the 183 statement the father of the victim has agitated that Tasu set fire from back when the victim resisted to breaking the eggs of snake but no fire burn injury initially detected on the back side of the deceased of her body.