

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
CrI Misc Case No.138/2026
CNR WBUD01-000278/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
04/19.02.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Md Amzad Ali @ Md Amjed, 2. Md Samjad @ Md Shyamjed, 3. Sukli Khatun @ Shukani Khatun, 4. Md Motibul @ Md Matikul, 5. Md Farooque @ Md Faruk Alam, 6. Rupia Khatun @ Rubia Khatun, 7. Kulsum Khatun, 8. Ruji Khatun @ Roji & 9. Tiltili Khatun @ Salma Khatun** in connection with Chopra P.S. Case No.29/2026 dated 16.01.2026 vide GR 135/2026 u/s 329(4)/115(2)/118(1)/109/303(2)/351(3)/3(5) B.N.S is taken up for hearing.

Learned Advocate for the petitioners by filing an affidavit submits that no such application under section 482 of B.N.S.S is either rejected or pending in this Court or before the Hon'ble Higher Courts prior to this application.

On query, Ld. Public Prosecutor submits that there is no reflection in the CD that there is any bail application either pending or rejected by the Hon'ble Higher Courts and IO also did not intimate him that any bail application is pending or rejected by the Hon'ble Higher Courts.

Ld Advocate for the petitioners submits that the primary allegation against the petitioners is in respect of offence punishable u/s 109 B.N.S. However, on considering the FIR and other materials, it would appear that there is no such material in respect of such allegation u/s 109 B.N.S. Other offences are Magistrate triable in nature. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised formal objection and submitted that the nature of injury seems to be simple. Ld Public Prosecutor left the matter to the discretion of the Court.

I have perused the FIR and other relevant documents available in the case record. I have perused the CD including statement of witnesses recorded u/s 180 B.N.S.S. I have also perused the injury reports of Dalua B.P.H.C & North Bengal Medical College & Hospital.

Considering the injury reports and other relevant documents, I am of the view that detention of the petitioners in custody is not required in the interest of investigation. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S is hereby considered and allowed.

Accused/Petitioners namely **1. Md Amzad Ali @ Md Amjed, 2. Md Samjad @ Md Shyamjed, 3. Sukli Khatun @ Shukani Khatun, 4. Md Motibul @ Md Matikul, 5. Md Farooque @ Md Faruk Alam, 6. Rupia Khatun @ Rubia Khatun, 7. Kulsum Khatun, 8. Ruji Khatun @ Roji & 9. Tiltili Khatun @ Salma Khatun**, in the event of arrest, in connection with Chopra P.S. Case No.29/2026 dated 16.01.2026 vide GR 135/2026, be released on furnishing bail bond of Rs.3,000/- each with one surety of like amount each, subject to the satisfaction of the Arresting Officer. If on bail they shall comply with the provisions of section 482(2) of B.N.S.S.

(Contd....)

IO, SI Paresh Chandra Roy, against whom W/A was issued, has appeared in person today. He has submitted an explanation through the Prosecution.

A petition has been filed by the O/C, Legal Cell, Islampur Police District where it has been submitted that this Court in a Criminal Misc Case does not have the jurisdiction to issue arrest warrant against the police officer.

It seems that this matter requires a proper hearing before disposal. Accordingly, let this petition be fixed for hearing on the next date.

The arrest warrant be kept in abeyance till hearing.

Fix **06.03.2026** for hearing the petition filed by the O/C, Legal Cell, Islampur Police District.

Return LCR and CD.

Let a copy of this order be sent to Ld A.C.J.M, Islampur for information and necessary action.

Let a copy of this order be also communicated to the Superintendent of Police, Islampur Police District.

Dictd. & cortd.

S.J-in ch.

Sessions Judge-in ch, U/Dinajpur.