

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.297/2026
CNR WBUD01-000588/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
04/19.03.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioner **Md Izhar Alam @ Ijhar Asraf** in connection with Chakulia P.S. Case No.35/2026 dated 31.01.2026 vide GR 240/2026 u/s 69/115(2)/351(2)/3(5) B.N.S is taken up for hearing.

Learned Advocate for the petitioner 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 petitioner submits that this is a case u/s 69 B.N.S. There is allegation in the FIR that this petitioner had deceived the victim and indulged into sexual intercourse with her. Ld Advocate emphasized that this is not a relation where any deception was practiced. The parties were in a relation of love affairs. But due to some misunderstanding, the victim has later brought such allegation against this petitioner. Ld Advocate, accordingly, prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised objection and submitted that there is allegation of deception by this petitioner. Ld PP prayed for rejection of bail application.

Perused the FIR and other relevant documents available in the case record. Perused the CD including statements of witnesses recorded u/s 180 B.N.S.S. Perused the injury report.

Considering the fact that there is prima facie allegation of deception adopted by this petitioner upon the victim, I considered that this is not a fit case where the benefit of anticipatory bail should be granted to the petitioner at this stage. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S of petitioner **Md Izhar Alam @ Ijhar Asraf** stands **rejected**.

Thus, the Criminal Misc Case is disposed of accordingly. Return LCR and CD.

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

Dictd. & cortd.

S.J-in ch.

Sessions Judge-in ch, U/Dinajpur.