

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
CrI Misc Case No.329/2026
CNR WBUD01-000656/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
02/12.03.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Ekbal @ Tenku @ Ikbal, 2. Tausif @ Tosib, 3. Tohin @ Tohid, 4. Saira @ Saira Khatun & 5. Teslima @ Taslima Khatun** in connection with Islampur P.S. Case No.208/2026 dated 03.03.2026 vide GR 512/2026 u/s 109/117(2)/126(2)303(2)/351(2)/76/3(5) B.N.S is taken up for hearing.

At the very outset, Ld. Advocate for the petitioners 'not pressed' the prayer for anticipatory bail in respect of petitioner No. 3. Tohin @ Tohid. Thus, his application stands rejected being 'not pressed'.

Learned Advocate for the petitioners no. 1, 2, 4 & 5 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 no. 1, 2, 4 & 5 submits that in the FIR the primary allegation is in respect of accused no.3 Tohin @ Tohid. In respect of other accused persons, there is no specific allegation. Ld Advocate further submitted that the allegations brought against these petitioners is gross in nature and there detention in custody does not seem to be necessary in the interest of investigation. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised objection and submitted that though primary allegation is in respect of FIR named accused no.1 Tohin @ Tohid, yet the gross allegation of assault is brought against these petitioners also. However, nature of injury of the victim is simple. Ld PP, accordingly, left the matter to the discretion of the Court.

Ld Advocate for the de facto complainant raised objection and submitted that all the accused persons had assaulted the victim resulting in injuries to her. Their involvement in the alleged offence can be found from the FIR. Ld Advocate, accordingly, prayed for rejection of bail application.

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

Considering the present facts and circumstances, I am of the view that custodial detention of these petitioners is not necessary in the interest of investigation of this case. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S is hereby considered and allowed.

(Contd...)

Accused/Petitioners no. 1, 2, 4 & 5 namely **Ekbal @ Tenku @ Ikbal, Tausif @ Tosib, Saira @ Saira Khatun & Teslima @ Taslima Khatun**, in the event of arrest, in connection with Islampur P.S. Case No.208/2026 dated 03.03.2026 vide GR 512/2026, be released on furnishing bail bond of Rs.8,000/- 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. and with condition that only male petitioners shall meet the IO once every seven days till further orders and shall co-operate with the investigation in this case.

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.