

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.330/2026
CNR WBUD01-000657/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
03/19.03.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Saheb @ Saheb Alam, 2. Bhutti @ Israil @ Md Israil, 3. Anjana @ Anjuna Khatun, 4. Sarmili @ Israt Banu, 5. Parbeen @ Ishrat Parveen & 6. Ruksar @ Ruksar Begum** in connection with Islampur P.S. Case No.158/2026 dated 19.02.2026 vide GR 400/2026 u/s 85/109/74/351(3)/62 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 this is a case where the primary allegation is u/s 85 of B.N.S. It has been alleged that the victim was subjected to mental and physical torture by the accused persons. There is also allegation of attempting to commit murder of the victim. However, on considering the injury report, it would appear that there is no such material to attract the provision of sec.109 B.N.S. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised objection and submitted that there is allegation of assault upon the victim by the accused persons. Ld PP prayed for rejection of bail application.

I have perused the FIR. From the FIR, it appears that there is allegation of assault upon the victim. Direct allegations have been brought against the FIR named accused no.1 & 2.

I have perused the CD including statement of witnesses recorded u/s 180 B.N.S.S. Also perused the injury report of the victim from which it appears that minor injury is shown on the person of the victim.

Considering the direct allegation brought against the FIR named accused no.1 & 2, I am not inclined to allow the prayer for anticipatory bail of these two petitioners at this stage. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S of petitioners no.1 & 2 namely **Saheb @ Saheb Alam and Bhutti @ Israil @ Md Israil** stands **rejected**.

However, having considered entire circumstances, I am of the view that there is no such material in the FIR or in the CD in respect of petitioners no.3-6. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S of petitioners no.3-6 is hereby considered and allowed.

(Contd....)

Accused/Petitioners no.3-6 namely **Anjana @ Anjuna Khatun, Sarmili @ Israt Banu, Parbeen @ Ishrat Parveen & Ruksar @ Ruksar Begum**, in the event of arrest, in connection with Islampur P.S. Case No.158/2026 dated 19.02.2026 vide GR 400/2026, be released on furnishing bail bond of Rs.5,000/- 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.

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.