

**In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj**  
**CrI Misc Case No.341/2026**  
**CNR WBUD01-000688/2026**

**Present:- Sri Surajit Mandal (WB00993)**  
**Sessions Judge-in ch, Uttar Dinajpur at Raiganj**  
**02/16.03.2026**

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Sanu Sarkar @ Abhijit Sarkar, 2. Tapash Sarkar @ Tapas Sarkar, 3. Dulali Biswas, 4. Rekha Biswas, 5. Nema Biswas @ Nemua Biswas & 6. Mampi Biswas** in connection with Raiganj P.S. Case No.231/2026 dated 04.03.2026 vide GR 586/2026 u/s 126(2)/115(2)/117(1)(2)/109/3(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 this is a case where the primary allegation is in respect of offence punishable u/s 109 B.N.S. There is also allegation of causing hurt to the victim punishable u/s 117(1) B.N.S. Ld Advocate further submitted that there is a counter case in respect of self same incident. Another FIR was lodged in respect of the same incident. The accused persons in the counter case are already enjoying bail. Detention of these petitioners in custody is not required in the interest of investigation. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised objection and submitted that there is allegation against these petitioners of causing grievous hurt to the victim. Ld PP, accordingly, prayed for rejection of bail application.

Ld Advocate for the de facto complainant raised objection and submitted that the victim was assaulted on a vital part of the body. He is still undergoing treatment. On two occasions, the victim had to be admitted in the hospital. Ld Advocate accordingly prayed for rejection of anticipatory bail application.

Perused the CD including statement of witnesses recorded u/s 180 B.N.S.S.

I have perused the injury report of the victim. It appears that the injury was caused upon a vital part of the body and the victim has received cut injury on his neck.

Considering entire facts and circumstances, I am not inclined to allow the prayer for anticipatory bail in respect of petitioners no.1,2 & 5. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S in respect of petitioners no.1,2 & 5 namely **Sanu Sarkar @ Abhijit Sarkar, Tapash Sarkar @ Tapas Sarkar & Nema Biswas @ Nemua Biswas** stands **rejected**.

(Contd....)

However, considering the fact that petitioners no.3, 4 & 6 are women and also considering their role in the alleged offence, I am inclined to allow the prayer for anticipatory bail in their favour. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S of petitioners no.3, 4 & 6 is hereby considered and allowed.

Accused/Petitioners no.3, 4 & 6 namely **Dulali Biswas, Rekha Biswas, & Mampi Biswas**, in the event of arrest, in connection with Raiganj P.S. Case No.231/2026 dated 04.03.2026 vide GR 586/2026, 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 C.J.M, Uttar Dinajpur for information and necessary action.  
Dictd. & cortd.

S.J-in ch.

Sessions Judge-in ch, U/Dinajpur.