

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.346/2026
CNR WBUD01-000693/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
02/17.03.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Firoj @ Firoj Alam, 2. Sakir @ Sakir Alam & 3. Sahid @ Sahid Alam** in connection with Goalpokher P.S. Case No.59/2026 dated 18.02.2026 vide GR 386/2026 u/s 115(2)/117(2)/118(2)/304(2)/324(4)/329(3)/351(2)/74/3(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 these three petitioners are the FIR named accused no.3 ,4 & 8. Ld Advocate further submitted that considering the FIR, it would appear that there is no such material against these petitioners. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised formal objection and left the matter to the discretion of the Court.

Perused the FIR. On considering the FIR, it can be found that primarily the allegation is against accused no.1, 2 & 3. The role played by the other accused persons has not been specified in the FIR.

Perused the CD including statements of witnesses recorded u/s 180 B.N.S.S. It appears from the CD that the IO has made a report that he has met with the staff of the hospital and they told him that the attending doctor was not available at the hospital.

The injury report of the victims is not present in the CD. From such report in the CD, it cannot be ascertained as to whether the IO has made any prayer/requisition for obtaining the injury report of the victim.

Having considered entire circumstances, at this stage, I find that in respect of the incident, the FIR was lodged on 18.02.2026. It is beyond the knowledge of this Court as to what were the reasons for which the IO has failed to collect the injury report till this date.

Considering such laches in the investigation, keeping in mind the interest of justice, I am inclined to allow the prayer for anticipatory bail. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S is hereby considered and allowed.

(Contd....)

Accused/Petitioners namely **1. Firoj @ Firoj Alam, 2. Sakir @ Sakir Alam & 3. Sahid @ Sahid Alam**, in the event of arrest, in connection with Goalpokher P.S. Case No.59/2026 dated 18.02.2026 vide GR 386/2026, be released on furnishing bail bond of Rs.6,000/- 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.

The I/C, Goalpokher PC, shall take this fact into consideration and obtain a report from the IO explaining why, despite the passage of such a long time, the injury reports have not yet been collected.

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.

Let a copy of this order be also sent to I/C, Goalpokher PS for information and necessary action.

Dictd. & cortd.

S.J-in ch.

Sessions Judge-in ch, U/Dinajpur.