

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.352/2026
CNR WBUD01-000699/2026

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. Samir Alam @ Samiruddin, 2. Tanbir Alam & 3. Firoja Khatun @ Firoja Begum** in connection with Goalpokher P.S. Case No.83/2026 dated 01.03.2026 vide GR 503/2026 u/s 329(4)/115(2)/117(2)/118(1)/109(1)/74/351(2)/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 there is allegation of assault upon the victims. The FIR was lodged u/s 109 B.N.S. But on considering the FIR, 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 formal objection and left the matter to the discretion of the Court.

Perused the FIR and other relevant documents available in the case record. It appears that in the FIR there is allegation of assault upon the victim.

I have also perused the CD including statement of witnesses recorded u/s 180 B.N.S.S. Perused the photocopy of the injury report of Islampur Sub-Divisional Hospital. From the said photocopy, it appears that no apparent injury was found. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S is hereby considered and allowed.

Accused/Petitioners namely **1. Samir Alam @ Samiruddin, 2. Tanbir Alam & 3. Firoja Khatun @ Firoja Begum**, in the event of arrest, in connection with Goalpokher P.S. Case No.83/2026 dated 01.03.2026 vide GR 503/2026, 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.

(Contd....)

I take special note of the fact that the original injury report has not been attached with the CD. The photocopy of injury report does not bear any signature or seal of the hospital.

Let this matter be brought to the notice of the I/C, Goalpokher PS with a direction upon him to issue necessary caution to the IO with respect to the fact.

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.