

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.357/2026
CNR WBUD01-000705/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
02/18.03.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Rabiul Islam, 2. Fariyad & 3. Md Shahenshah** in connection with Chakulia P.S. Case No.49/2026 dated 13.02.2026 vide GR 343/2026 u/s 329(4)/115(2)/117(2)/118(1)/351(2)/324(4)/109/304/3(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.1, 3 & 4. There is allegation in the FIR stating that all the accused persons had after forming an unlawful assembly, trespassed into the house of the de facto complainant. Ld Advocate further submitted that in the FIR, there is allegation of assault upon the victims. On considering the present facts and circumstances, 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. I have also perused the documents submitted from the side of the petitioners wherefrom it appears that there is a counter case that has been instituted in respect of self same incident.

Perused the CD including statements of witnesses recorded u/s 180 B.N.S.S. Also perused the injury reports of three victims.

From such injury reports, it appears that the nature of injury is simple in nature.

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

Accused/Petitioners namely **1. Rabiul Islam, 2. Fariyad & 3. Md Shahenshah**, in the event of arrest, in connection with Chakulia P.S. Case No.49/2026 dated 13.02.2026 vide GR 343/2026, 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.