

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.367/2026
CNR WBUD01-000715/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
02/19.03.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Chainuddin, 2. Khajimuddin, 3. Damijuddin, 4. Hamid Alam @ Md Hamid Alam & 5. Kasimul @ Kasimul Haque** in connection with Islampur P.S. Case No.179/2026 dated 25.02.2026 vide GR 454/2026 u/s 109/117(2)/118(2)/329(4)/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 in the FIR of committing incident of assault upon the victims. However, there is a counter case also in respect of the incident. Ld Advocate further submitted that custodial detention of these petitioners in the interest of investigation is not required. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor raised objection and submitted that there are some injury reports of the victims. Ld PP emphasized that on perusal of injury reports, it would appear that these are photocopies. There is no reference in the CD as to how the photocopies of injury reports were collected by the IO. There is nothing to show that any requisition was made to the concerned hospital for collection of injury reports in the proper manner. Ld PP, however, in respect of the bail application, left the matter to the consideration of the Court.

I have heard submissions of both sides. I have perused the FIR where there is allegation of assault upon the victims.

I have perused the CD including statement of witnesses recorded u/s 180 B.N.S.S. I have perused the photocopies of the injury reports of the victims.

On considering such injury reports, it appears that there is no such material which would attract the provision of sec.109 B.N.S. Moreover, it seems that custodial detention of these petitioners is not necessary in the interest of investigation. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S is hereby considered and allowed.

(Contd....)

Accused/Petitioners namely **1. Chainuddin, 2. Khajimuddin, 3. Damijuddin, 4. Hamid Alam @ Md Hamid Alam & 5. Kasimul @ Kasimul Haque**, in the event of arrest, in connection with Islampur P.S. Case No.179/2026 dated 25.02.2026 vide GR 454/2026, be released on furnishing bail bond of Rs.8,000/- 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.