

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.410/2026
CNR WBUD01-000782/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
02/24.03.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Majarul Haque @ Mojerul Hoque, 2. Manuda Khatun @ Amuta Khatun, 3. Ohiran Nesha @ Ahiran Nsa, 4. Samirul Haque @ Samirul Islam & 5. Siddik @ Siddique Ali** in connection with Chopra P.S. Case No.62/2026 dated 10.02.2026 vide GR 313/2026 u/s 109/115(2)/126(2)/303(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 the allegation brought against these petitioners in the FIR is mainly of committing assault upon the victims. There is allegation of attempting to commit murder of the victims. But on perusal of the FIR, it would appear that there is no such ingredient to attract the provision of sec.109 B.N.S. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor submitted that the injury report could not yet been collected by the IO. Ld PP left the matter to the discretion of the Court.

Perused the FIR and other relevant documents available in the case record. Perused the CD including statement of witnesses recorded u/s 180 B.N.S.S.

It appears from the record that the FIR was lodged on 10.02.2026. It appears from the CD that the IO has prayed for obtaining injury report on 11.03.2026. The conduct of the IO in this case shows that the IO is reluctant enough to collect the injury report of the victim. He has made the prayer for collecting the injury report morethan one month after the alleged incident was committed.

Considering the present facts and circumstances, I am of the view that at this stage, the benefit of anticipatory bail should be allowed to all the petitioners as their detention in custody does not seem to be 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. Majarul Haque @ Mojerul Hoque, 2. Manuda Khatun @ Amuta Khatun, 3. Ohiran Nesha @ AHIRAN Nsa, 4. Samirul Haque @ Samirul Islam & 5. Siddik @ Siddique**, in the event of arrest, in connection with Chopra P.S. Case No.62/2026 dated 10.02.2026 vide GR 313/2026, 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.