

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.890/2026
CNR WBUD01-001558/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
03/03.07.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Mubarrak @ Mobarak Hossain, 2. Tarikul, 3. Anakul @ Anarul Haque & 4. Taslimuddin** in connection with Chakulia P.S. Case No.147/2026 dated 01.05.2026 vide GR 1171/2026 u/s 310(4)/310(5) B.N.S r/w sec. 27/25(i)(a) of Arms Act Act is taken up for hearing.

TCR has not been produced. CD is produced.

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 four petitioners are FIR named. The allegation in the FIR is that these petitioners along with others had assembled for the purpose of committing dacoity. The FIR was lodged suo motu by the police officers where one person was apprehended. It is alleged in the FIR that these people fled away from the place of occurrence. Ld Advocate submitted that there is no material against these petitioners. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor submitted that improvised firearm and live cartridges were found from the possession of the accused who was arrested. These petitioners had allegedly fled away from the PO and only for that reason, they could not be arrested. At this stage, it shall not be proper to grant anticipatory bail to the petitioners.

Perused the CD including the copy of FIR, seizure list and other relevant documents including statement of witnesses recorded u/s 180 B.N.S.S.

Considered the present facts and circumstances.

It appears that the accused who was apprehended from the PO, is already on bail. The seizure of firearm was shown from the possession of that accused.

Considering the present facts and circumstances, it seems that custodial detention of these petitioners may not 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. Mubarrak @ Mobarak Hossain, 2. Tarikul, 3. Anakul @ Anarul Haque & 4. Taslimuddin**, in the event of arrest, in connection with Chakulia P.S. Case No.147/2026 dated 01.05.2026 vide GR 1171/2026, 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. and with condition that they shall co-operate with the investigation in every manner. They shall meet the IO once every seven days till further orders.

Thus, the Criminal Misc Case is disposed of accordingly. Return 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.