

In the Court of the Ld. Sessions Judge, Uttar Dinajpur at Raiganj
Crl Misc Case No.906/2026
CNR WBUD01-001582/2026

Present:- Sri Surajit Mandal (WB00993)
Sessions Judge-in ch, Uttar Dinajpur at Raiganj
03/25.06.2026

This application for anticipatory bail u/s 482 of B.N.S.S filed on behalf of present petitioners **1. Tulshi Sarkar & 2. Rina Sarkar @ Rina Roy Sarkar** in connection with Kaliyaganj P.S. Case No.236/2026 dated 16.05.2026 vide GR 1177/2026 u/s 137(2)/140(3)/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 petitioners are females. They are not the family members of the principal accused. These women are in noway related to the alleged incident. Ld Advocate further submits that another accused Ananda Ghosh is already on bail. Ld Advocate accordingly prayed for anticipatory bail on any condition.

Ld Public Prosecutor has raised objection and submits that the victim girl has not yet been recovered. There is allegation in the FIR against all the accused persons. Ld PP further emphasized that the involvement of any FIR named accused cannot be ruled out. As the victim has not recovered till date, it would not be proper to allow anticipatory bail to these petitioners.

I have 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.

On perusing all relevant documents as available in the CD and upon considering the fact that the investigation has proceeded to a good extent and a long time has passed since lodging of the FIR, I am of the view that custodial detention of these female petitioners may not serve the actual purpose of investigation. Accordingly, prayer for anticipatory bail u/s 482 of B.N.S.S is hereby considered and allowed but upon certain conditions.

Accused/Petitioners namely **1. Tulshi Sarkar & 2. Rina Sarkar @ Rina Roy Sarkar**, in the event of arrest, in connection with Kaliyaganj P.S. Case No.236/2026 dated 16.05.2026 vide GR 1177/2026, 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 meet the IO every alternative day till further orders. They shall not leave the jurisdiction of this Court and shall co-operate with the investigation in every manner. They shall not try to establish any kind of contact with the family members of the victim.

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

Let a copy of this order be sent to Ld C.J.M, Uttar Dinajpur for information and necessary action.

Dictd. & cortd.

S.J-in ch.

Sessions Judge-in ch, U/Dinajpur.