

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

02.07.2026
Ct No.5
Item No.30
S.K.

CRM (A) 437 of 2026

In Re:- An application Section 482 of the Bharatiya Nagarik
Suraksha Sanhita, 2023,
And

In Re: **Ajidul Miah & Anr.**

..... Petitioners

Mr. Sudip Guha
Ms. A. Nag

....For the Petitioners

Mr. Avrojoyti Das, ld. APP
Ms. Panchali Deb Sikder
Ms. Rajyashree Ghosh

.....For the State

1. Petitioners are the accused persons in connection with Dinhata Police Station Case No. 196 of 2026 dated 3.4.2026 under Sections 126(2)/117(2)/109(1)/30/3(2)/3(5) of the B.N.S.S. and corresponding to G.R. Case No. 214 of 2026, pending before the learned Additional Chief Judicial Magistrate, Dinhata.
2. According to the learned advocate for the petitioners, the entire dispute is concerning ancestral property of the party and no such incident as alleged in the FIR has actually happened also that the injury suffered must not be of that gravity to warrant petitioners' custody.

3. The State has raised strong objection on the ground of materials available in CD.
4. Perused the materials before me in record and CD I find specific allegations, the accused person No. 1 to have been supported by the witnesses statement as well as the injury report showing hospitalization of the injured person.
5. In such view of the fact that I find it proper to reject the petitioner no. 1, namely, **Ajidul Miah**.
6. Without any such specific material against the petitioner no. 2, namely, **Anowara Bibi**, the bail prayer of the petitioner no. 2 is allowed.
7. Considering all as above, the present application of the petitioner no. 2 is allowed.
8. In the event of arrest the petitioner No. 2, namely, **Anowara Bibi** shall be granted bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Dinhata in connection with Dinhata Police Station Case No. 196 of 2026. The petitioner shall comply with the condition under Section 482(2) of the BNSS, 2023 and shall cooperate with investigation in all possible way. She shall not intimidate witnesses in any manner and shall not tamper with the evidence of the case in any manner whatsoever.
9. C.D be returned.

(Rai Chattopadhyay, J.)

