

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

Present : **Sri Anirban Das,**
 Sessions Judge-in-charge,
 Cooch Behar.
 J.O. Code WB00691

Bail Petition No. 762 / 2026
CNR No. WBCB01-001298-2026

Order No. 2,
dated 22/06/2026

In the present application, the accused petitioners namely **1) Ashraful Alam, 2) Abubakkar Siddique, 3) Nijamuddin Miah, 4) Siraj Patowary, 5) Ayub Patowary, 6) Nurnabi Miah, 7) Hamidul Rahaman, 8) Rafikul Islam, 9) Sahinur Kha, 10) Makbul Hossain, 11) Alamgir Hossain and 12) Saidul Byapari @ Majidul Bepari** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Sahebganj P.S. Case No. 247 of 2026 dated 25/05/2026 under section 324(4), 351(3), 3(5) of the Bharatiya Nyaya Sanhita read with section 25 (1-A) of Arms Act corresponding to G.R. Case No. (1) 307 of 2026.

Ld. Advocates for the contesting parties are present.

Case Record of the Ld. Trial Court and Case Diary have been produced.

So, the Bail Petition is taken up for hearing.

By swearing affidavit, it has been stated in the bail application by the accused petitioners that prior to filing of the present application, they did not file any application under section 482 of the B.N.S.S. before the Hon'ble High Court or any other superior Court, and no such application is pending or there is no rejection of such prayer by the Hon'ble Court. Ld. Public Prosecutor contends that there is no indication in the Case Diary in disputing the aforesaid facts.

Heard Ld. Advocate for the accused petitioners and the Ld. P.P.

Perused the Case Diary.

I have perused the written complaint.

From the said complaint, it appears that the accused petitioners attacked the residential places of the complainant and they have fired several rounds from the Firearms with them and also damaged the said premises with iron rod and the sharp edged weapons.

It appears from the record that this complaint was lodged on 25/05/2026 but till date, there is no recovery of any firearms or any such weapons.

I have also considered the statements of the witnesses recorded by the I.O. under section 180 of the B.N.S.S.

Considering all these aspects, I think it prudent to allow the prayer for anticipatory bail of the accused petitioners.

(Contd....)

Contd. Order No. 2,
dated 22/06/2026

Hence, prayer for anticipatory bail of all the four accused petitioners is **allowed**.

In the event of arrest, the accused petitioners namely **Ashraful Alam, Abubakkar Siddique, Nijamuddin Miah, Siraj Patowary, Ayub Patowary, Nurnabi Miah, Hamidul Rahaman, Rafikul Islam, Sahinur Kha, Makbul Hossain, Alamgir Hossain** and **Saidul Byapari @ Majidul Bepari** may find bail of ₹ 3,000/- each with two registered sureties of ₹ 1,500/- each to the satisfaction of the Arresting Officer subject to fulfillment of the conditions as enumerated in Section 482 (2) of the B.N.S.S.

Thus, the bail petition is disposed of.

Case Diary and Case Record of the Ld. Trial Court be returned at once.

Dictated and corrected by me,

Sd/-
Sri Anirban Das,
Sessions Judge-in-charge ,
Cooch Behar.
J.O. Code WB00691

Sd/- Anirban Das
Sri Anirban Das,
Sessions Judge-in-charge,
Cooch Behar.
J.O. Code WB00691