

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

Present : **Sri Nirvan Khesong,**
 Sessions Judge,
 Cooch Behar.
 J.O. Code WB00662

Bail Petition No. 143 / 2026
CNR No. WBCB01-000256-2026

Order No. 4,
dated 07/03/2026

In the present application, the accused petitioner namely **Rinku Hoque** has filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Sadar Women P.S. Case No. 26 of 2025 dated 31/01/2025 under section 85, 123, 3(5) of the Bharatiya Nyaya Sanhita and read with section 3/4 of the D.P. Act, corresponding to G.R. Case No. 234 of 2025.

Learned advocates for the contesting parties are present.

Case Record of the learned 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 petitioner that prior to filing of the present application, he 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 though his previous bail application was rejected by this Court prior to filing of charge. Learned Public Prosecutor-in-charge contends that there is no indication in the Case Diary in disputing the aforesaid facts.

Heard Ld. Advocate for the petitioner who submits that the accused petitioner is the husband of the victim. He is innocent and he has been falsely implicated in this case. Ld. Advocate further submits that in this case charge sheet has already been submitted and all other co-accused persons are on bail. So, bail may be granted to the accused petitioner on any condition.

Ld. Public Prosecutor-in-charge draws my attention to the medical documents of the victim, statement of the witnesses recorded under section 180 of the B.N.S.S. and other materials in the Case Diary and has opposed the prayer. He also submits that in this case charge sheet has already been submitted and prior to filing of charge sheet, an application of this accused petitioner was rejected by this Court.

Perused the Case Diary and other material on record.

It appears from the Trial Court Record as well as Case Diary that charge sheet has already been submitted by the I.O. after completion of investigation

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against the accused person 85, 123, 3(5) of the B.N.S read with section 3/4 of the D.P. Act and there is no chance of tampering of evidence in this case.

Considering the materials in the Case Diary and the fact of submission of charge sheet, I am of opinion that custodial trial of this accused petitioner is not necessary and as such, I am inclined to allow the prayer for bail of the petitioner under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the petitioner is **allowed**.

In the event of arrest, the accused petitioner namely **Rinku Hoque** may find bail of ₹ 5,000/- with two registered sureties of ₹ 2,500/- 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 the Case Record of the learned Trial Court be returned at once.

Dictated and corrected by me,

Sd/-
Sessions Judge ,
Cooch Behar.

Sd/- Nirvan Khesong
Sessions Judge,
Cooch Behar