

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 237 / 2026
CNR No. WBCB01-000446-2026

Order No. 4,
dated 08/04/2026

In the present application, the accused / petitioners namely **1) Rajib Barman** and **2) Bimala Barman** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Mathabhanga P.S. Case No. 84 of 2026 dated 08/02/2026 under section 126(2), 115(2), 117(2), 109, 324(4), 303(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 182 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. Learned Public Prosecutor contends that there is no indication in the Case Diary in disputing the aforesaid facts.

Heard Ld. Advocate for the accused / petitioners who submits that the accused / petitioners are completely innocent and the allegations brought against them are out and out false. Ld. advocate further submits that no such incident had allegedly occurred at the behest of any of the petitioners which may attract the offence under section 109 or 303(2) of the B.N.S. So, he prays for bail of the accused / petitioners on any condition.

Ld. Public Prosecutor has opposed the prayer referring to the injury report of the victim appearing at page No. 19, statements of the witnesses recorded under section 180 of the B.N.S.S. and other materials available in the Case Diary.

Perused the Case Diary and other materials on record.

Considering the materials in the Case Diary, especially the injury report of the injured / victim, I find sufficient materials showing involvement of the accused / petitioner No. 1 Rajib Barman in the commission of the offence as alleged.

So, considering the materials in the Case Diary and also the gravity of the offence, I am not inclined to grant bail to the accused / petitioner No. 1 *Rajib Barman* under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the accused / petitioner No. 1 namely **Rajib Barman** is considered and **rejected**.

However, I do not find any material in the Case Diary involving the accused / petitioner No. 2 in the commission of the alleged offence. Moreover, the accused / petitioner No. 2 is a female accused person being wife of the accused / petitioner No. 1.

(Contd....)

Contd. Order No. 4,
dated 08/04/2026

Considering the above facts, I am inclined to allow the prayer for bail of the accused / petitioner No. 2 *Bimala Barman* under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the accused / petitioner No. 2 is **allowed**.

In the event of arrest, the accused / petitioner No. 2 namely **Bimala Barman** may find bail of ₹ 4,000/- with two registered sureties of ₹ 2,000/- 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 Ld. Trial Court be returned at once.

Dictated and corrected by me,

Sd/-
Sessions Judge,
Cooch Behar.

Sd/- Nirvan Khesong
Sessions Judge,
Cooch Behar