

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 249 / 2026
CNR No. WBCB01-000467-2026

Order No. 4,
dated 10/04/2026

In the present application, the accused / petitioners namely **1) Raj Dutta** and **2) Sourav Dutta** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Kotwali P.S. Case No. 91 / 2026 dated 04/02/2026, under section 108 of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 170 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 present 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 present accused / petitioners who submits that the accused / petitioner No. 1 Raj Dutta is the son of the deceased victim and the petitioner No. 2 Sourav Dutta is cousin brother of the petitioner No. 1 herein. They are not the principal accused. They are completely innocent and mere being family members of the deceased, they have been falsely implicated in this case. So, bail may be granted to these accused / petitioners on any condition.

Ld. Public Prosecutor draws my attention to the statements of complainant and other witnesses recorded under section 180 of the B.N.S.S. and other materials in the Case Diary and has opposed the prayer.

Perused the Case Diary and other material on record.

Considering the materials in the Case Diary, I find that these accused / petitioners had subjected the deceased to mental and physical torture before her death and they had also abated the commission of suicide by the victim.

Considering the materials in the Casee Diary and the gravity of the offence, I am of the opinion that custodial interrogation of these accused / petitioners is necessary in this case and as such I am not inclined to grant anticipatory bail to the accused / petitioners under section 482 of the B.N.S.S.

(Contd.....)

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Hence, prayer for anticipatory bail of both the accused / petitioners is considered and **rejected**.

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