

**IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR**

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

**Bail Petition No. 274 / 2026**  
**CNR No. WBCB01-000505-2026**

**Order No. 4,**  
**dated 10/04/2026**

In the present application, the accused / petitioner namely **Amir Hossain** has filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Kuchlibari P.S. Case No. 102 of 2025 dated 22/07/2025 under section 115(2), 118(1), 118(2), 109, 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 423 of 2025.

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 / 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 prior to filing of charge sheet, his previous bail applications have been rejected by this Court as well as by the Hon'ble High Court, Calcutta, Circuit Bench at Jalpaguri. 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 accused / petitioner who submits that that the accused / petitioner 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 though prior to filing of charge sheet, bail applications of this accused / petitioner were rejected by this Court as well as by the Hon'ble High Court, Calcutta, Circuit Bench at Jalpaguri. Ld. Advocate further submits that now as charge sheet has already been submitted, custodial interrogation of this accused / petitioner may not be required in this case. So, bail may be granted to this accused / petitioner on any condition.

Ld. Public Prosecutor-in-charge has submitted that in this case charge sheet has already been submitted. He has opposed the prayer stating that previously on two occasions, bail petition of this accused / petitioner was rejected by this Court as well as by the Hon'ble High Court, Calcutta, Circuit Bench at Jalpaguri.

Perused the Case Diary and other material on record.

It appears from the Case Diary that charge sheet has already been submitted by the I.O under section 115(2), 118(1), 118(2), 109, 3(5) of the Bharatiya Nyaya Sanhita after completion of investigation. It also appears that the Hon'ble High Court, Calcutta, Circuit Bench at Jalpaguri has been pleased to reject the bail application of this accused / petitioner

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under section 482 B.N.S.S. on 26/11/2025 passed in CRM(A) 837 of 2025 after considering the materials in the Case Diary. Moreover, at the time of submission of charge sheet, there is no change of any section in the charge sheet.

Considering the gravity of the offence, submission of charge sheet under section 115(2), 118(1), 118(2), 109, 3(5) of the Bharatiya Nyaya Sanhita and rejection of anticipatory bail of this accused / petitioner by the Hon'ble High Court, Calcutta, Circuit Bench at Jalpaiguri, I am not inclined to grant bail to the petitioner under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the accused / petitioner 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