

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 275 / 2026
CNR No. WBCB01-000506-2026**

**Order No. 3,
dated 06/04/2026**

In the present application, the accused / petitioners namely **1) Md. Malem (Musalem) @ Md. Machlem, 2) Md. Suhel Rana @ Sohel Rana, 3) Md. Bella @ Md. Bellal Hosen and 4) Norul Haque @ Md. Narul Haque** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Kuchlibari P.S. Case No. 07 / 2026 dated 18/01/2026, under sections 221, 223, 329(2), 303(2), 3(5) of the Bharatiya Nyaya Sanhita read with section 11(1)(d) Prevention of Cruelty to Animal Act, corresponding to G.R. Case No. 26 of 2026.

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 / 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 present accused / petitioners are innocent. They are no-way involved with the alleged offence and being resident of Indo-Bangladesh border area, they have been falsely implicated in this case out of suspicion. Ld. Advocate further submits that one of the co-accused person was arrested and subsequently released on bail. So, bail may be granted to the present accused / petitioners on any condition.

Ld. Public Prosecutor draws my attention to the seizure list, statements of the witnesses made 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.

On perusal of the Case Diary, especially the statement of the witnesses made under section 180 of the B.N.S.S., I find materials regarding involvement of these accused persons in the commission of the crime as alleged by the prosecution.

(Contd.....)

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Considering the materials in the Case Diary as well as early stage of investigation, I am of the opinion that custodial interrogation of these accused / petitioners is necessary for proper investigation of the case and as such, I am not inclined to grant bail to the petitioners under section 482 of the B.N.S.S. at this stage.

Hence, prayer for anticipatory bail of all 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