

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 290 / 2026
CNR No. WBCB01-000525-2026

Order No. 3,
dated 24/03/2026

In the present application, the accused / petitioners namely **1) Jayanta Barman** and **2) Rambhakta Barman** 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. 110 of 2026 dated 12/02/2026 under section 137(2), 140(3), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 212 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-in-charge 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 allegation brought against them are out and out false. Ld. Advocate further submits that the alleged victim girl has already been recovered and she made her statement before the Ld. Magistrate under section 183 of the B.N.S.S. So, bail may be granted to the accused / petitioners on any condition.

Ld. Public Prosecutor-in-charge has opposed the prayer referring to the statement of the victim girl recorded under section 183 as well as 180 of the B.N.S.S. and other materials in the Case Diary. He also submits that in this case charge sheet has already been submitted.

Perused the Case Diary and other material on record.

On perusal of the Case Diary, I find that after completion of investigation, charge sheet has already been submitted on 28/02/2026. I have also perused the statement of the victim made under section 183 of the B.N.S.S.

Now, considering the materials in the Case Diary including statement of the victim recorded under section 183 of the B.N.S.S. and also the fact of submission of charge sheet after completion of investigation, I do not find any necessity of custodial interrogation of the accused / petitioners for the purpose of investigation and as such, I am inclined to allow the prayer for anticipatory bail of the petitioners under section 482 of the B.N.S.S.

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

(Contd.....)

Contd. Order No. 3,
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In the event of arrest, the accused / petitioners namely **1) Jayanta Barman** and **2) Rambhakta Barman** may find bail of ₹ 4,000/- each with two registered sureties of ₹ 2,000/- each to the satisfaction of the Ld. CJM, Cooch Behar 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