

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 307 / 2026
CNR No. WBCB01-000545-2026

Order No. 2,
dated 13/03/2026

In the present application, the accused petitioner namely **Mangla Das** has filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Sahebganj P.S. Case No. 657 of 2025 dated 18/11/2025 under section 126(2), 117(2), 109, 303(2), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. (I) Case No. 739 of 2025.

Learned 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. Ld. 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 the present accused petitioner is visually handicapped. He is completely innocent and he has been falsely implicated in this case as no such incident had allegedly occurred at the behest of this accused petitioner which may attract the offence under section 109 or 303(2) of the B.N.S. Ld. Advocate further submits that custodial interrogation of this accused petitioner may not be required as in this case charge sheet has already been submitted and other two co-accused persons are on bail. So, he prays for bail of the petitioner on any condition.

Ld. Public Prosecutor-in-charge has opposed the prayer referring to the injury report of the injured victim appearing at page No. 15, statement of the witnesses recorded under section 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 Record, I find that charge sheet has been submitted against the accused persons under section 126(2), 117(2), 109(1), 3(5) of the Bharatiya Nyaya Sanhita after completion of investigation.

(Contd.....)

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Since charge sheet has already been submitted in this case after completion of investigation, I am of the view that further custodial interrogation of this accused petitioner is not necessary.

Accordingly, considering the nature of offence and also the fact of submission of charge sheet by the I.O., I am inclined to allow the prayer for bail of this accused petitioner under section 482 of the B.N.S.S.

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

In the event of arrest, the accused petitioner namely **Mangla Das** 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 learned Trial Court be returned at once.

Dictated and corrected by me,

Sd/-
Sessions Judge ,
Cooch Behar.

Sd/- Nirvan Khesong
Sessions Judge,
Cooch Behar