

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

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

**Bail Petition No. 308 / 2026  
CNR No. WBCB01-000546-2026**

**Order No. 2,  
dated 13/03/2026**

In the present application, the accused petitioner namely **Bikash Rava** has filed an application under section 438 of the Criminal Procedure Code for granting anticipatory bail in connection with Boxirhat P.S. Case No. 287 of 2023 dated 19/07/2023 under section 498A, 306, 506, 34 of the Indian Penal Code, corresponding to G.R. Case No. 802 of 2023.

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 petitioner that prior to filing of the present application, he did not file any application under section 438 of the Criminal Procedure Code or 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 petitioner who submits that the present accused petitioner is the husband of the deceased victim. He is innocent and the allegations brought against him and other accused persons are out and out false. Ld. Advocate further submits that after completion of investigation charge sheet has already been submitted and other two co-accused persons are already on bail granted by this Court on 31/10/2025 in Bail Petition No. 1790 of 2025. So, bail may be granted to this accused petitioner on any condition.

Ld. Public Prosecutor-in-charge draws my attention to the P.M. report and Inquest Report of the victim and statement of the witnesses recorded under section 180 of the B.N.S.S. appearing in the Case Diary. He has vehemently opposed the prayer stating that this accused petitioner is the principal accused who happens to be the husband of the deceased victim.

Perused the Case Diary and the Trial Court Record.

On perusal of the Case Record, I find that charge sheet has been submitted against the accused persons under section 498A, 306, 506, 34 of the Indian Penal

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Code after completion of investigation. Moreover, this accused petitioner is the husband of the deceased victim / principal accused of this case. The materials in the charge sheet shows involvement of this accused petitioner in commission of the alleged offence.

So, considering the gravity of the offence and the materials in the Case Diary, this Court is of opinion that custodial trial of this accused petitioner is necessary and as such, I am not inclined to allow the prayer for bail of the petitioner under section 438 of the Criminal Procedure Code.

Hence, prayer for anticipatory bail of the petitioner stands **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