

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

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

**Bail Petition No. 340 / 2026**  
**CNR No. WBCB01-000586-2026**

**Order No. 3,**  
**dated 25/03/2026**

In the present application, the accused petitioners namely **1) Majnu Ali @ Mekar, 2) Arif Hossain** and **3) Alima Bibi** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Pundibari P.S. Case No. 144 of 2026 dated 26/02/2026 under section 329(4), 115(2), 117(2), 118(2), 74, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 293 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-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 over the issue of a simple incident, this case has been filed against the petitioners with some false and fabricated allegations. Ld. Advocate further submits that no such incident had allegedly occurred at the behest of any of the petitioners which may attract the offence punishable under section 118(2) of the B.N.S. So, he prays for bail of these two accused petitioners on any condition.

Ld. Public Prosecutor-in-charge has opposed the prayer referring to the injury report of the victim at page No.16, statement of the witnesses recorded under section 180 of the B.N.S.S and other materials in the Case Diary.

Perused the Case Diary and other material on record.

(Contd....)

**Contd. Order No. 2,  
dated 11/03/2026**

On perusal of the Case Diary, specially the injury report of the victim, I find sufficient materials against the accused petitioner No. 1 herein showing his involvement in commission of the alleged offence.

Accordingly, prayer for anticipatory bail of the petitioner No. 1 namely **Majnu Ali @ Mekar** is considered and **rejected**.

However, considering the materials in the Case Diary and nature of offence, I am inclined to allow the prayer for bail under section 482 of the B.N.S.S. in respect of the petitioner Nos. 2 and 3 namely **Arif Hossain** and **Alima Bibi**.

Hence, prayer for anticipatory bail of the petitioner Nos. 2 and 3 is **allowed**.

In the event of arrest, the accused petitioner Nos. 2 and 3 namely **Arif Hossain** and **Alima Bibi** may find bail of ₹ 4,000/- each 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