

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

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

**Bail Petition No. 341 / 2026**  
**CNR No. WBCB01-000590-2026**

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

In the present application, the accused / petitioner namely **Subhajit Roy** has filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Pundibari P.S. Case No. 975 of 2025 dated 01/12/2025 under section 329(4), 115(2), 117(2), 118(2), 77, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 2059 of 2025.

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 / 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 though his previous bail application was rejected by this Court prior to filing of charge sheet. 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 accused / petitioner is innocent and he has been falsely implicated in this case. Ld. Advocate further submits that in this case charge sheet has already been submitted and all other co-accused persons are on bail. So, bail may be granted to this accused / petitioner on any condition.

Ld. Public Prosecutor-in-charge has opposed the prayer referring to the medical documents of the victim and other materials in the Case Diary. He also submits that in this case charge sheet has already been submitted and prior to filing of charge sheet, an application of this accused / petitioner was rejected by this Court.

Perused the Case Diary and other material on record.

On perusal of the Case Diary as well as Trial Court Record, I find that after completion of investigation, the I.O. has submitted charge sheet against this accused / petitioner along with other accused persons under section 329(4), 115(2), 117(2), 77, 351(3), 3(5) of the B.N.S. and all other co-accused persons are on bail.

Since, charge sheet has already been submitted after completion of investigation and all other co-accused persons are on bail, I am of the opinion that custodial interrogation / trial of this accused / petitioner is not necessary and as such, I am inclined to allow the prayer for bail of the accused / petitioner under section 482 of the B.N.S.S.

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

(Contd.....)

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

In the event of arrest, the accused / petitioner namely **Subhajit Roy** may find bail of ₹ 4,000/- with two registered sureties of ₹ 2,000/- each to the satisfaction of the Ld. Chief Judicial Magistrate, Sadar, 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