

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 344 / 2026
CNR No. WBCB01-000596-2026

Order No. 2,
dated 07/03/2026

In the present application, the accused petitioner namely **Rabiul Hoque** has filed an application under section 483 of the Bharatiya Nagarik Suraksha Sanhita praying for bail in connection with Kotwali P.S. Case No. 78 / 2026 dated 31/01/2026, under section 108 of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 156 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 petitioner that prior to filing of the present application, he did not file any application under section 483 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 petitioner who submits that the present accused petitioner is the husband of the deceased victim. He is completely innocent and he has been falsely implicated in this case. Ld. Advocate further submits that all other co-accused persons are already on bail and this accused petitioner is in custody since 10/02/2026. Considering the period of detention, Ld. Advocate prays for bail of the petitioner on any condition.

Ld. Public Prosecutor-in-charge draws my attention to the P.M. report of the deceased, statements of the witnesses recorded under section 180 of the B.N.S.S. and other materials in the Case Diary and has vehemently opposed the prayer.

Perused the Case Diary and other material on record.

On perusal of the Case Diary, especially the statement of the complainant and the P.M. report of the deceased victim, I find sufficient materials present against this accused petitioners showing his involvement in commission of the alleged crime. Moreover, investigation is still in progress.

(Contd.....)

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So, considering the nature and gravity of the offence, materials in the Case Diary and also the early stage of investigation, I am not inclined to release the petitioner on bail under section 483 of the B.N.S.S.

Hence, prayer for bail of the petitioner under section 483 of the B.N.S.S. stands **rejected**.

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