

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 350 / 2026
CNR No. WBCB01-000601-2026

Order No. 3,
dated 02/04/2026

In the present application, the accused / petitioners namely **1) Jiarul Rahaman, 2) Masud Alam, 3) Faruk Hussain @ Faruk Rahaman, 4) Bachir Mia @ Bachir Ali, 5) Ranjan Ali** and **6) Manjila Bibi @ Chhamina Bibi** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Boxirhat P.S. Case No. 72 of 2026 dated 20/02/2026 under section 140(3), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 164 of 2026.

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 / 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 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 accused / petitioners are completely innocent and they have been falsely implicated in this case. Ld. Advocate further submits that the alleged victim girl has already been recovered and she made her statement under section 183 of the B.N.S.S. So, he prays for bail of these two accused / petitioners on any condition.

Ld. Public Prosecutor draws my attention to the statement of the alleged victim girl recorded under section 183 of the B.N.S.S. and other materials in the Case Diary and has leaves the matter to the discretion of this Court.

Perused the Case Diary and other material on record.

Considering the materials in the Case Diary, especially the statement of the victim girl made under section 183 of the B.N.S.S, I find that the victim girl had voluntarily left with the principal accused person and there is no serious allegation of kidnapping against these accused / petitioners who happens to be the parents and other relatives of the principal accused person.

Considering the materials in the Case Diary as well as statement of the victim girl made under section 183 of the B.N.S.S., I am of the opinion that custodial interrogation of the present accused / petitioners is not necessary for the purpose of investigation and as

such, I am inclined to allow their prayer for anticipatory bail under section 482 of the B.N.S.S.

(Contd.....)

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

In the event of arrest, the accused / petitioners namely **1) Jiarul Rahaman, 2) Masud Alam, 3) Faruk Hussain @ Faruk Rahaman, 4) Bachir Mia @ Bachir Ali, 5) Ranjan Ali and 6) Manjila Bibi @ Chhamina 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 Ld. Trial Court be returned at once.

Dictated and corrected by me,

Sd/-
Sessions Judge,
Cooch Behar.

Sd/- Nirvan Khesong
Sessions Judge,
Cooch Behar