

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 352 / 2026
CNR No. WBCB01-000604-2026

Order No. 4,
dated 21/04/2026

In the present application, the accused / petitioners namely **1) Chandan Rajbhar, 2) Uttam Rajbhar, 3) Lakkhi Rajbhar** and **4) Susmita Sarkar Rajbhar** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Kotwali P.S. Case No. 165 of 2026 dated 02/03/2026 under section 329(4), 115(2), 118(1), 118(2), 303(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 320 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 the accused / petitioners are completely innocent and the allegations brought against them are out and out false. Ld. advocate further submits that no such incident had allegedly occurred at the behest of any of the accused / petitioners which may attract the offence under section 118(2), 303(2) of the B.N.S. So, he prays for bail of the accused / petitioners on any condition.

Ld. Public Prosecutor has opposed the prayer referring to one medical document of the victim appearing at page No. 3, statement of the de facto complainant recorded under section 180 of the B.N.S.S at page No. 7 and other materials in the Case Diary and has opposed the prayer.

Perused the Case Diary and other material on record.

On perusal of the Case Diary, especially the injury report of the injured / victim, I find that all the accused persons had caused serious injury on the right hand of the victim and as such there are sufficient materials present against all the accused / petitioners herein showing their involvement in the commission of the alleged offence.

Considering the materials in the Case Diary and also the gravity of the offence, I am not inclined to grant anticipatory bail in favour of the male accused persons i.e. accused / petitioner Nos. 1 and 2 namely *Chandan Rajbhar* and *Uttam Rajbhar* under section 482 of the B.N.S.S.

(Contd....)

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Hence, prayer for anticipatory bail of the accused / petitioner Nos.1 and 2 namely **Chandan Rajbhar** and **Uttam Rajbhar** is considered and **rejected**.

However, considering the materials in the Case Diary and since the accused / petitioner Nos. 3 and 4 herein are female accused persons, I am inclined to allow their prayer for bail under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the accused / petitioner Nos. 3 and 4 is **allowed**.

In the event of arrest, the accused / petitioner Nos. 3 and 4 namely **Lakhi Rajbhar** and **Susmita Sarkar Rajbhar** may find bail of ₹ 4,000/- 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