

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

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

**Bail Petition No. 401 / 2026**  
**CNR No. WBCB01-000702-2026**

**Order No. 2,**  
**dated 01/04/2026**

In the present application, the accused / petitioners namely **1) Marjina Bibi @ Marjina Khatun Bibi, 2) Meherul Hoque @ Ichhamuddin Miya, 3) Yunus Hoque @ Yunus Miya** and **4) Meheran Bibi** have filed an application under section 438 of the Criminal Procedure Code for granting anticipatory bail in connection with Kotwali P.S. Case No. 811 of 2018 dated 31/12/2018 under section 498A, 376/511 of the Indian Penal Code read with section 3/4 of the D.P. Act, corresponding to G.R. Case No. 01 of 2019.

Ld. Advocates for the contesting parties are present.

The defacto complainant appeared by filing a fresh Vokatnama. She also filed a no objection petition in granting bail to the petitioners.

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 438 of the Criminal Procedure Code or 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 in-laws of the complainant / victim. They are innocent and they have been falsely implicated in this case. Ld. Advocate submits that in this case charge sheet has already been submitted and the husband of the de facto complainant / victim is already on bail. Moreover, the matter has been amicably settled between the parties out of court. So, bail may be granted to these in-laws accused / petitioners on any condition.

Ld. Public Prosecutor has opposed the prayer referring to the materials in the Case Diary. He also submits that charge sheet has already been submitted.

Perused the Case Diary and other materials on record.

On perusal of the case record, I find that these accused / petitioners are the in-laws of the de facto complainant and the principal accused person / husband of the complainant has already got bail. Moreover, the de facto complainant is personally present today before this Court along with her Ld. Advocate and files a petition stating that she has settled the dispute with the accused persons, now she has been residing with the accused persons happily and she has no objection, if the present accused / petitioners are released on bail. Moreover, charge sheet has already been submitted after completion of investigation.

(Contd.....)

Contd. Order No. 2,  
dated 01/04/2026

Considering the factum of compromise between the parties, submission of charge sheet by the I.O. and the materials in the Case Diary, I am inclined to allow the prayer for bail of these accused / petitioners under section 438 of the Criminal Procedure Code.

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

In the event of arrest, the accused / petitioners namely **1) Marjina Bibi @ Marjina Khatun Bibi, 2) Meherul Hoque @ Ichhamuddin Miya, 3) Yunus Hoque @ Yunus Miya and 4) Meheran 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 438 (2) Cr.P.C. corresponding to 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.

Vokalatnama and the compromise petition filed on behalf of complainant be kept with the record.

Dictated and corrected by me,

**Sd/-**  
Sessions Judge,  
Cooch Behar.

**Sd/- Nirvan Khesong**  
Sessions Judge,  
Cooch Behar