

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 403 / 2026
CNR No. WBCB01-000704-2026

Order No. 3,
dated 09/04/2026

In the present application, the accused / petitioners namely **1) Bijoy Krishna Das** and **2) Subhankar Das** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Tufanganj P.S. Case No. 20 of 2026 dated 07/01/2026 under section 126(2), 115(2), 117(2), 110, 303(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 24 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 in this case the main allegation is against the FIR named accused No. 1, who is already on bail. Present accused / petitioners are completely innocent and out of political dispute and grudge, they have been implicated in this case with some false allegations. Ld. advocate further submits that no such incident had allegedly occurred at the behest of any of the petitioners herein which may attract the offence under section 110 or 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 the injury report of the injured victim, statements of the witnesses recorded under section 180 of the B.N.S.S. and other materials available in the Case Diary.

Perused the Case Diary and other materials on record.

Considering the materials in the Case Diary and the injury report of the injured / victim, I find sufficient materials against the accused / petitioner No. 2 Subhankar Das showing his involvement in the commission of the alleged offence.

So, considering the materials in the Case Diary and also the gravity of the offence, I am not inclined to grant bail to the accused / petitioner No. 2 *Subhankar Das* under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the accused / petitioner No. 2 namely **Subhankar Das** is considered and **rejected**.

(Contd....)

Contd. Order No. 3,
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However, considering the materials in the Case Diary, I do not find any specific allegation against the accused / petitioner No. 1 Bijoy Krishna Das in the commission of the alleged offence.

Considering the above facts, I am inclined to allow the prayer for bail of the accused / petitioner No. *Bijoy Krishna Das* under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the accused / petitioner No. 1 is **allowed**.

In the event of arrest, the accused / petitioner No. 1 namely **Bijoy Krishna Das** 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