

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 652 / 2026
CNR No. WBCB01-001140-2026

Order No. 2,
dated 02/06/2026

In the present application, the accused / petitioners namely **1) Shantu Barman** and **2) Sudhan Barman @ Bapi Barman** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Mathabhanga P.S. Case No. 295 of 2026 dated 06/05/2026 under section 329(4), 117(2), 109, 74, 324(4), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 636 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-in-charge 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 these accused / petitioners are completely innocent. They are no-way involved with the alleged offence and the allegations brought against them are out and out false as no such incident had allegedly occurred at the behest of these accused / petitioners which may attract the offence punishable under section 109 or 74 of the B.N.S. So, bail may be granted to these accused / petitioners on any condition.

Ld. Public Prosecutor-in-charge draws my attention to the statements of the witnesses recorded under section 180 of the B.N.S.S. 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 materials available in the Case Diary, I do not find any injury report of the victim but the victim appears to have gone to the hospital for medical treatment.

Considering the above facts and the materials found in the Case Diary, I am of the opinion that custodial interrogation of these accused / petitioners is not necessary and as such, I am inclined to grant anticipatory bail in favour of these accused / petitioners under section 482 of the B.N.S.S.

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

In the event of arrest, the accused / petitioners namely **1) Shantu Barman** and

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2) Sudhan Barman @ Bapi Barman 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