

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 636 / 2026
CNR No. WBCB01-001118-2026**

**Order No. 3,
dated 10/06/2026**

In the present application, the accused / petitioners namely **1) Sahin Hossain @ Sahin Miya, 2) Jahanur Jamal @ Bablu @ Hasanur Jaman Miya** and **3) Anoara Bibi @ Sahera Bibi** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Pundibari P.S. Case No. 290 of 2026 dated 29/04/2026 under section 137(2), 140(3), 49 of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 655 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 in this case the main allegation is against the accused / petitioner No. 1 herein. Other accused / petitioners are his parents. Ld. advocate submits that there was love affairs between the victim girl and the petitioner No. 1 herein and the victim had left her house at her own will. He further submits that all the accused persons are completely innocent and out of suspicion they have been falsely implicated in this case. He further submits that the alleged victim girl has already been returned to her house and she already made her statement under section 183 of the B.N.S.S. before the Ld. Magistrate. Moreover, the matter has already been settled between the parties out of Court. So, bail may be granted to the accused / petitioners on any condition.

Ld. Public Prosecutor-in-charge draws my attention to the statement of the victim girl recorded under section 183 of the B.N.S.S. found in the Case Record and has leaves the matter to the discretion of this Court.

The de facto complainant is present along with his Ld. Advocate and he filed a petition stating that they have already settled the dispute with the accused / petitioners and they have no objection, if the accused / petitioners are released on bail.

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 do not find any material to show that this

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accused / petitioner had kidnapped the victim girl at any point of time. Moreover, the de facto complainant is also personally present and submitted that he has no objection if the accused / petitioners are given anticipatory bail by this Court as the victim girl has already returned to her house.

Considering the above facts and the materials in the Case Diary as well as Case Record, I am inclined to grant anticipatory bail in favour of the accused / petitioners under section 482 of the B.N.S.S.

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

In the event of arrest, the accused / petitioners namely **1) Sahin Hossain @ Sahin Miya, 2) Jahanur Jamal @ Bablu @ Hasanur Jaman Miya** and **3) Anoara Bibi @ Sahera 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