

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 787 / 2026
CNR No. WBCB01-001330-2026**

**Order No. 2,
dated 16/06/2026**

In the present application, the accused / petitioners namely **1) Dipankar Barman, 2) Kaushik Barman, 3) Nur Kashem Miah, 4) Nabaruddin Miah, 5) Sanu Barman @ Rabindra Barman, 6) Pappu Sarkar @ Kishor Sarkar, 7) Chhabi Barman, 8) Jatin Barman and 9) Abdul Majid** 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. 471 of 2026 dated 21/05/2026 under section 448, 427, 379, 506, 34 of the Indian Penal Code, corresponding to G.R. Case No. 868 of 2026.

Ld. Advocates for the contesting parties are present.

Case Diary and Case Record of the Ld. Trial Court 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 the accused / petitioners are completely innocent. They were no-way involved with the offence as alleged and out of grudge with regard to political dispute, this case has been filed implicating the accused / petitioners with some false allegations. More over the complaint has been lodged after a long period without any justifiable explanation. So, he prays for bail of the accused / petitioners on any condition.

Ld. Public Prosecutor-in-charge has opposed the prayer referring to the statements of the witnesses made 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 materials on record.

Considering the materials in the Case Diary, I find that the alleged incident of theft took place in the year 2021 i.e. about more than five years ago and there is no recovery of stolen articles.

Considering the above facts and the materials in the Case Diary, I am of the opinion that custodial interrogation of the accused / petitioners is not necessary and as such, I am inclined to allow the prayer for bail 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**.

(Contd....)

Contd. Order No. 2,
dated 16/06/2026

In the event of arrest, the accused / petitioners namely **1) Dipankar Barman, 2) Kaushik Barman, 3) Nur Kashem Miah, 4) Nabaruddin Miah, 5) Sanu Barman @ Rabindra Barman, 6) Pappu Sarkar @ Kishor Sarkar, 7) Chhabi Barman, 8) Jatin Barman and 9) Abdul Majid** 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.

In addition to this, the accused / petitioners are also directed to meet the I.O. once in a week till submission of charge sheet.

Thus, the bail petition is disposed of.

Case Diary and 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