

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 855 / 2026
CNR No. WBCB01-001419-2026**

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

In the present application, the accused / petitioner namely **Goutam Adhikary** has filed an application under section 483 of the Bharatiya Nagarik Suraksha Sanhita praying for bail in connection with Kotwali P.S. Case No. 175 / 2026 dated 05/03/2025, under section 126(2), 115(2), 118(2), 103, 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 340 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 / petitioner that prior to filing of the present application, he did not file any application under section 483 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. Ld. Public Prosecutor contends that there is no indication in the Case Diary in disputing the aforesaid facts.

Heard Ld. Advocate for the accused / petitioner who submits that the accused / petitioner is innocent and he has been falsely implicated in this case. Ld. Advocate further submits that in this case charge sheet has already been submitted after completion of investigation. Moreover, the accused / petitioner is in custody for more than 90 days. Now, considering the fact of submission of charge sheet and also the period of detention, Ld. Advocate prays for bail of the accused / petitioner on any condition.

Ld. Public Prosecutor draws my attention to the statement of the de facto complainant recorded under section 180 as well as 183 of the B.N.S.S., statements of other witnesses and other materials in the Case Diary and has opposed the prayer. He also submits that after completion of investigation, charge sheet has already been submitted in this case.

Perused the Case Diary and other material on record.

On perusal of the Case Diary and Case Record, I find that charge sheet has already been submitted against this accused / petitioner along with other accused persons inter-alia under section 103 of the B.N.S.

(Contd....)

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So, considering the gravity of the offence and since charge sheet has already been submitted against this accused person under section 126(2), 103, 3(5) of the B.N.S. after completion of investigation, I am not inclined to grant bail the accused / petitioner under section 483 of the B.N.S.S.

Hence, prayer for bail of the accused / petitioner under section 483 of the B.N.S.S. stands **rejected**.

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