

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 861 / 2026
CNR No. WBCB01-001425-2026

Order No. 2,
dated 08/06/2026

In the present application, the accused / petitioner namely **Rahul Dube** has filed an application under section 483 of the Bharatiya Nagarik Suraksha Sanhita for granting bail in connection with Sadar Women P.S. Case No. 96 of 2026 dated 25/05/2026 under section 85, 109, 351(2), 49 of the Bharatiya Nyaya Sanhita read with section 3/4 of the D.P. Act, corresponding to G.R. Case No. 901 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 / 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. 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 the present accused / petitioner is the husband of the victim. He is innocent and he has been falsely implicated in this case. Ld. Advocate submits that the accused *petitioner was arrested and produced before Court on 26/05/2026* and since then he is in custody. Moreover, the matter has been amicably settled between the parties out of court and now the victim is residing peacefully at her matrimonial house. So, considering the present circumstances of the case also considering the period of detention, Ld. Advocate prays for bail of the petitioner on any condition.

Ld. Public Prosecutor draws my attention to the injury report and photographs of the victim, her statement made under section 180 of the B.N.S.S. and other materials in the Case Diary and has vehemently opposed the prayer.

The de facto complainant is personally present today before this Court along with her Ld. Advocate and submitted that she has settled the dispute with the accused persons and now she has been residing with her in-laws accused persons at her matrimonial house and she has no objection, if the present accused / petitioner is released on bail by this Court.

Perused the Case Diary and other material on record.

Considering the materials in the Case Diary, contents of the FIR and especially the injury report and photographs of the injury of the victim, I find sufficient materials against this accused / petitioner showing his involvement in the commission of the alleged crime. The injury in the neck of the victim and the her statement clearly shows that this accused / petitioner had attempted to murder the victim by throttling her.

(Contd....)

Contd. Order No. 2,
dated 08/06/2026

Considering the above facts, materials in the Case Diary and the gravity of the offence, I am not inclined to grant bail to 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.

Vokatnama and the compromise petition filed on behalf of complainant be kept with the record.

Dictated and corrected by me,

Sd/-
Sessions Judge ,
Cooch Behar.

Sd/- Nirvan Khesong
Sessions Judge,
Cooch Behar