

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

Bail Petition No. 865 / 2026
CNR No. WBCB01-001429-2026

Order No. 2,
dated 30/06/2026

In the present application, the accused / petitioners namely **1) Paritosh Barman, 2) Sukila Barman @ Sukla Barman @ Shukla Barman** and **3) Ranjit Barman** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Sitalkuchi P.S. Case No. 212 of 2026 dated 25/05/2026 under section 85, 109 of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 793 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 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 who is the husband of the victim. Other two accused / petitioners are the parents-in-law of the victim. They all are innocent and over the issue of a simple incident relating to matrimonial dispute, they have been implicated in this case with some false and exaggerated allegations. He further submits that no such incident had allegedly occurred at the behest of any of the accused persons which may attract the ingredients of offence under section 109 of the B.N.S. So, he prays for bail of the accused / petitioners on any condition.

Ld. Public Prosecutor draws my attention to the injury report of the victim appearing at page No. 29, statement of the witnesses recorded under section 180 of the B.N.S.S. and other materials available in the Case Diary and has opposed the prayer.

Perused the Case Diary and other material on record.

Considering the materials in the Case Diary and the injury report of the victim, I find sufficient materials against the accused / petitioner No. 1 *Paritosh Barman* showing his involvement in the commission of the alleged offence. Moreover, the accused / petitioner No. 1 is the principal accused person of this case being the husband of the victim and the allegation of assault is against him.

Considering the materials in the Case Diary and since the accused / petitioner No. 1 is the principal accused person being husband of the victim, I am of the opinion that

(Contd....)

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custodial interrogation of this accused / petitioner is necessary and as such, I am not inclined to grant anticipatory bail in favour of the accused / petitioner No. 1 under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the accused / petitioner No. 1 namely **Paritosh Barman** is considered and **rejected**.

However, the accused / petitioner Nos. 2 and 3 are the mother-in-law and father-in-law of the victim and there is no direct allegation of assault against them.

Considering the above facts and the materials in the Case Diary, I am of the opinion that their custodial interrogation for the purpose of investigation is not necessary and as such, I am inclined to allow the prayer for bail of the accused / petitioner Nos. 2 and 3 under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the accused / petitioner Nos. 2 and 3 is **allowed**.

In the event of arrest, the accused / petitioner Nos. 2 and 3 namely **Sukila Barman @ Sukla Barman @ Shukla Barman** and **Ranjit 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