

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 872 / 2026
CNR No. WBCB01-001438-2026**

**Order No. 2,
dated 01/07/2026**

Today is fixed for hearing of this bail application.

Ld. Advocates for contesting parties are present.

Learned Public Prosecutor submits that Case Diary has not been produced today.

The Case Record of the Ld. Trial Court has been produced.

On perusal of the Trial Court Record, it appears that charge sheet has already been submitted in the present case. As charge sheet has already been submitted, then, on consent of both the parties, the application is taken up for hearing only on the basis of the Case Record of the Ld. Trial Court in absence of the Case Diary.

In the present application, the accused / petitioner namely **Lalchan Barman** has filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita praying for anticipatory bail in connection with Sitalkuchi P.S. Case No. 516 of 2025 dated 15/11/2025 under section 329(3), 117(2), 103(1), 351(3) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 1688 of 2025.

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 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.

Heard Ld. Advocate for the accused / petitioner who submits that the present 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 and other co-accused persons are already on bail. He further submits that when charge sheet has already been submitted and other co-accused persons are already on bail, custodial interrogation of the present accused / petitioner may not be required in this case. So, he prays for bail of the present accused / petitioner on any condition.

Ld. Public Prosecutor leaves the matter to the discretion of this Court stating that the Case Diary is not available with him.

Perused the Case Record of the Ld. Trial Court.

(Contd....)

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On perusal of the Case Record, I find that charge sheet has already been submitted against this accused / petitioner along with other accused persons under section 329(3), 115(2), 117(2), 103(1), 351(3), 3(5) of the B.N.S. after completion of investigation and this accused / petitioner has been named in the FIR as well as in the charge sheet.

Considering the gravity of the offence and since charge sheet has already been submitted against this accused / petitioner under section 329(3), 115(2), 117(2), 103(1), 351(3), 3(5) of the B.N.S., I am not inclined to grant anticipatory bail to this accused / petitioner under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of the accused / petitioner is considered and **rejected**.

Thus, the bail petition is disposed of.

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