

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 886 / 2026
CNR No. WBCB01-001456-2026**

**Order No. 3,
dated 18/06/2026**

The record is put up today on the basis of put up petition.

It appears that the instant bail petition is fixed for hearing on 08/07/2026.

Ld. Advocates for the contesting parties are present.

Accordingly, on consent of both the parties, the record is taken up by treating the same as the matter of today's Cause List.

By filing another petition, Ld. Advocate appearing on behalf of accused / petitioners submits that today Case Record and Case Diary in connection with the instant Bail Petition have been produced in connection with another Bail Petition No. 980 of 2026 filed by another accused person of the case. As Case Dairy and Case Record of the Ld. Trial Court have been produced today, Ld. Advocate prays for hearing of the instant bail petition along with that bail petition this day.

Ld. Public Prosecutor does not raise any objection.

Considered.

Accordingly, on consent of both the parties, the matter is taken up for hearing.

In the present application, the accused / petitioners namely **1) Nur Alom Hossen @ Noor Alam** and **2) Matiur Rahaman @ Matiar Mia** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Pundibari P.S. Case No. 694 / 2025 dated 05/08/2025, under section 126(2), 324(4), 221, 132, , 351(2), 3(5) of the B.N.S. read with section 3 of P.D.P.P. Act and adding section 109, 61(2) of the B.N.S., corresponding to G.R. Case No. 1417 of 2025.

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 these accused / petitioners are not an FIR named accused and their names have been transpired as accused during investigation. They are completely innocent and out of political grudge, they have been falsely implicated in this case along with other accused persons with some false allegations. Ld. Advocate further submits that some other co-accused persons are already on bail of whom the principal accused person has been granted anticipatory bail by the Hon'ble High Court, Calcutta, Circuit Bench at Jalpaiguri in CRM (A) 318 of 2026. So, bail may be granted to these accused / petitioners on any condition.

(Contd....)

Contd. Order No. 3,
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Ld. Public Prosecutor has opposed the prayer referring to one medical document of the victim, statement of the witnesses made under section 180 of the B.N.S.S. available in the Case Diary and has opposed the prayer.

Perused the Case Diary and other materials on record.

On perusal of the Case Record, it appears that these accused / petitioners are not FIR named accused.

Now, considering the materials in the Case Diary and the contents of the FIR, I find that the alleged incident took place on 05/08/2025 and the allegation against these accused / petitioners and other accused persons is that they obstructed the convoy of the on going L.O.P *Sri Subhendu Adhikary* at Khagrabari Chowpathi and threw flag sticks on his vehicle and in the process, one of the police officer got injury on his shoulder. Moreover, the principal accused person namely *Sri Udayan Guha* has already granted anticipatory bail by the Hon'ble High Court, Calcutta, Circuit Bench at Jalpaiguri in CRM (A) 318 of 2026.

Considering the materials in the Case Diary and the allegation made against these accused / petitioners and in view of the above decision, I am of the opinion that custodial interrogation of the present 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 the accused / petitioners is **allowed**.

In the event of arrest, all the accused / petitioners namely **1) Nur Alom Hossen @ Noor Alam** and **2) Matiur Rahaman @ Matiar Mia** may find bail of ₹ 5,000/- each with two registered sureties of ₹ 2,500/- 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