

**IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR**

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

**Bail Petition No. 986 / 2026**  
**CNR No. WBCB01-001592-2026**

**Order No. 2,**  
**dated 14/07/2026**

In the present application, the accused / petitioners namely **1) Ganga Barman, 2) Sefali Barman** and **3) Samir Barman** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Sahebganj P.S. Case No. 244 of 2026 dated 25/05/2026 under section 329(4), 115(2), 109, 303(2), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. (I) Case No. 305 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 the accused / petitioners are neighbours of the complainant and there is long pending family dispute between them. They are completely innocent and over the issue of a simple incident relating to said previous dispute between the parties, this case has been filed against the accused persons with some false and fabricated allegations. Ld. advocate submits that no such incident had allegedly occurred at the behest of any of the accused / petitioners which may attract the offence under section 109 or 303(2) 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, statements of the de facto complainant and other witnesses recorded by the I.O. and other materials 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 *Ganga Barman* showing his involvement in the commission of the offence.

Considering the above facts and the materials in the Case Diary, I am of the opinion that custodial interrogation of the accused / petitioner No. 1 *Ganga Barman* is necessary and as such, I am not inclined to grant anticipatory bail to the accused / petitioner No. 1 under section 482 of the B.N.S.S.

(Contd....)

Contd. Order No. 2,  
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Hence, prayer for anticipatory bail of the accused / petitioner No. 1 **Ganga Barman** is considered and **rejected**.

However, there is no direct allegation of assault against the accused / petitioner Nos. 2 and 3 in the FIR and the accused / petitioner No. 2 is a female accused person.

Considering the above fact and materials in the Case Diary, I am of the opinion that custodial interrogation of the accused / petitioner Nos. 2 and 3 is not necessary and as such, I am inclined to grant anticipatory bail in favour of these two accused / petitioners 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 **Sefali Barman** and **3) Samir 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