

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 739 / 2026
CNR No. WBCB01-001270-2026**

**Order No. 2,
dated 16/06/2026**

In the present application, the accused / petitioner namely **Subrata Das @ Barman** has filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Tufanganj P.S. Case No. 214 / 2026 dated 22/04/2026, under section 329(4), 64, 351(2) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 353 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 / 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. Learned Public Prosecutor-in-charge contends that there is no indication in the Case Diary in disputing the aforesaid facts.

Heard Ld. Advocate for the accused / petitioner who submits that the accused / petitioner is completely innocent and the allegation brought against him are out and out false and no such incident had allegedly occurred by this accused / petitioner which may attract the offence under section 64 of the B.N.S. Ld. Advocate further submits that the complaint has been lodged belatedly for about five days without any justifiable explanation for causing such delay. So, he prays for bail of the accused / petitioner on any condition.

Ld. Public Prosecutor-in-charge draws my attention to the statement of the victim recorded under section 180 as well as 183 of the B.N.S.S., her medical document found in the Case Diary and other materials available therein and has opposed the prayer.

Perused the Case Diary and other materials on record.

Considering the materials in the Case Diary, especially the statement made by the victim women under section 183 of the B.N.S.S., I find sufficient materials showing involvement of this accused / petitioner in the commission of offence of rape.

(Contd....)

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Considering the above facts, gravity of the offence and the materials in the Case Diary, I am of the opinion that 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 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 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