

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 887 / 2026
CNR No. WBCB01-001457-2026**

**Order No. 3,
dated 20/07/2026**

In the present application, the accused / petitioners namely **1) Ajit Das @ Ajit Kumar Das, 2) Isha Das Barman @ Isha Barman** and **3) Rita Das** have filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Tufanganj P.S. Case No. 226 of 2026 dated 29/04/2026 under section 329(4), 115(2), 117(2), 74, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 369 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 near relatives of the complainant. The main allegation is against the FIR named accused No. 1 who is already on bail after arrest. Present accused / petitioners are the parents and wife of the said principal accused. They are innocent and over the issue of a simple incident of hot altercation and scuffling relating to the property 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 these accused / petitioners which may attract the offence under section 74 of the B.N.S. So, he prays for bail of these accused / petitioners on any condition.

Ld. Public Prosecutor draws my attention to the injury report of the victim and other medical documents appearing at page Nos. 28, 7 to 15, statement of the complainant made under section 180 of the B.N.S. 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 do not find any direct allegation of assault against these three accused persons. Moreover, these accused / petitioners are the father, mother and wife of the principal accused person in this case.

(Contd....)

Contd. Order No. 3,
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Considering the materials in the Case Diary, I am of the opinion that custodial interrogation of these three accused / petitioners is not necessary and as such, I am inclined to grant anticipatory bail in their favour under section 482 of the B.N.S.S.

Hence, prayer for anticipatory bail of all the accused / petitioners is **allowed**.

In the event of arrest, the accused / petitioners namely **1) Ajit Das @ Ajit Kumar Das, 2) Isha Das Barman @ Isha Barman** and **3) Rita Das** 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