

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 834 / 2026
CNR No. WBCB01-001394-2026**

**Order No. 2,
dated 29/06/2026**

In the present application, the accused / petitioner namely **Shashanka Sekhar Das @ Sasanka Sekhar Das @ Joy** has filed an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita for granting anticipatory bail in connection with Dinhata P.S. Case No. 322 of 2026 dated 18/05/2026 under section 341, 325, 326, 506, 34 of the Indian Penal Code, corresponding to G.R. Case No. 363 of 2026.

Ld. Advocates for the contesting parties are present.

Case Diary and Case Record of the Ld. Trial Court 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 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. He was no-way involved with the offence as alleged and out of grudge with regard to political dispute, this case has been filed implicating this accused / petitioner along with other accused persons with some false allegations. More over the complaint has been lodged after about five years without any justifiable explanation for causing such delay. So, he prays for bail of the accused / petitioner on any condition.

Ld. Public Prosecutor has opposed the prayer referring to the statement of the witnesses made under section 180 of the B.N.S.S. and other materials in the Case Diary and has opposed the prayer.

Perused the Case Diary and other materials on record.

Considering the materials in the Case Diary and the contents of the FIR, I find that the alleged incident took place in the year 2021 and the allegation against this accused / petitioner and other accused persons is that they assaulted the victim causing grievous hurt to him. However, there is no injury report found in the Case Diary.

Since the alleged incident took place about 5 years ago and there is no injury report in the Case Diary till date, I am of the opinion that custodial interrogation of the present accused / petitioner is not necessary and as such, I am inclined to grant anticipatory bail to the accused / petitioner 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 is **allowed**.

In the event of arrest, the accused / petitioner namely **Shashanka Sekhar Das @ Sasanka Sekhar Das @ Joy** may find bail of ₹ 5,000/- 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 / petitioner is 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