

IN THE COURT OF SESSIONS JUDGE, COOCH BEHAR

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

**Bail Petition No. 559 / 2026
CNR No. WBCB01-000981-2026**

**Order No. 4,
dated 04/06/2026**

In the present application, the accused / petitioner namely **Paresh Bhuiya** has filed an application under section 483 of the Bharatiya Nagarik Suraksha Sanhita praying for bail in connection with Pundibari P.S. Case No. 217 / 2026 dated 31/03/2026, under section 103(1), 3(5) of the Bharatiya Nyaya Sanhita, corresponding to G.R. Case No. 474 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 483 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. Ld. 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 present accused / petitioner is completely innocent. He was no-way involved with the alleged offence and the allegation brought against him is out and out false. Ld. Advocate submits that this accused / petitioner was arrested and produced before Court on 01/04/2026 and since then he is in custody for about 65 days. Considering the period of detention, Ld. Advocate prays for bail of the present accused / petitioner on any condition.

Ld. Public Prosecutor draws my attention to the P.M. report of the victim, statement of one witness recorded under section 183 of the B.N.S.S. as well as statement of other witnesses recorded under section 180 of the B.N.S.S. and other materials available in the Case Diary and has vehemently opposed the prayer.

Perused the Case Diary and other material on record.

Considering the materials in the Case Diary, especially the statement made by one witness under section 183 of the B.N.S.S. as well as P.M. Report of the victim, I find sufficient materials against this accused / petitioner showing his involvement in the commission of the offence of murder. Moreover, the investigation of the case is still going on.

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Contd. Order No. 4,
dated 04/06/2026

So, considering the gravity of the offence and materials in the Case Diary, at this stage I am not inclined to grant bail in favour of the accused / petitioner under section 483 of the B.N.S.S.

Hence, prayer for bail of the accused / petitioner under section 483 of the B.N.S.S. stands **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