

In the Court of the Ld. Sessions Judge, Birbhum at Suri.

Cr. Misc. Case No.350 of 2026

(CNR No. WBBB-01-000969-2026)

Present :- Smt. Arti Sharma Roy (WB00149)

Sessions Judge, Birbhum

Order No.02 dated 18.04.2026

The application u/s 482 of BNSS is moved by the Ld. Advocate praying for anticipatory bail of the petitioner, namely, Ganesh Chandra Gorain, in connection with Mayureswar PS case No.266 of 2025 dated 03.11.2025 u/s 420/ 406/ 120B/ 34 of IPC, giving rise to G.R Case No.2723 of 2025 of the Court of Ld. Additional Chief Judicial Magistrate, Rampurhat, Birbhum.

An affidavit has been filed by Ganesh Chandra Gorain, the petitioner himself of this case stating that no such bail application under section 482 of BNSS has been filed, nor any application is rejected by any higher forum.

Ld. Advocate for the petitioner submits that he is falsely implicated without any specific allegation against him in the FIR. That mediator (FIR accused Sl. no.03) who introduced proposed seller to the *defacto* complainant is released on anticipatory bail by Hon'ble High Court. It is his further submission that one of the proposed seller (FIR accused Sl. no.02) is also enjoying the liberty of bail. He draws my attention on the caption of section which is Magistrate triable. Pleading false implication and undertaking to cooperate with investigation, if admitted on anticipatory bail, Ld. Advocate for the petitioner prays for admission of the petitioner on anticipatory bail on any terms and conditions as the Court thinks fit and proper.

Ld. PP, Birbhum has raised objection contending that present petitioner was in knowledge of the entire fraud transactions of proposed sale of his landed property to the *defacto* complainant. He furnishes the CD for my perusal drawing my notice to the money transaction between the proposed sellers, mediator on one side and *defacto* complainant on other side.

I have heard both sides.

Perused the C.D and also the T.C.R.

CD manifests transaction of money between other FIR named accused persons barring present petitioner. Investigation was significantly conducted till the end of January, 2026 but there is no further development thereafter as I find on perusal of the CD. Following the rule of parity in the matter of grant of bail and the stage of investigation which now appears to be stalled the petitioner may be admitted on anticipatory bail with certain condition. Accordingly, prayer for anticipatory bail is **allowed.**

Contd . . .

Contd . . .order dt.18.04.2026

Hence, it is,

Ordered

that in the event of arrest, petitioner, namely, Ganesh Chandra Gorain, may be released on bail of Rs.20,000/- with two sureties of Rs.10,000/- each, subject to the satisfaction of the Arresting Officer of this case on condition that the petitioner shall abide by the provision as laid down in section 482(2) of BNSS **with condition that he must not indulge himself in similar type of activity.**

Let a copy of this order along with the T.C.R. of G.R case no.2723 of 2025 be sent to the Ld. Additional Chief Judicial Magistrate, Rampurhat, Birbhum for information and taking necessary action.

Let another copy of this order be sent to the S.P, Birbhum for information.

CD be returned.

The Cr. Misc. Case is disposed of.

Dictated & corrected by me.

Sd/- Arti Sharma Roy
Sessions Judge, Birbhum.

Sd/- Arti Sharma Roy
Sessions Judge, Birbhum.
JO CODE WB00149