

In the Court of Sessions Judge, Murshidabad

Present : Shri Sanjeev Kumar Sharma (JO WB00706)
Sessions Judge, Murshidabad (In-Charge)

Crl. Misc. Case No.2812/2026

Ref. : Berhampore P.S. Case No.854/2026 dated 31.05.2026
U/s.308(5)/316(2)/351(3)/61(2)/3(5) of BNS.

1. Rakesh Sk.
 2. Rajesh Sk.
 3. Amit Mondal
 4. Manik Mondal
 5. Kabir Kha @ Kabir Khan
 6. Budeb Sk. @ Matibur Sk. Accused/petitioner(s).
- Vs.
- The State Opposite Party.

Order No.03 dated 12.06.2026

This day is fixed for hearing of the case and filing of the Deficit Court fee.

Ld. Advocate for the accused petitioners files Deficit Court fee.

Let the same be kept with the record.

The application for anticipatory bail U/s.482 of BNSS, filed by the petitioners as named above is taken up for hearing.

Heard the Ld. lawyer for the accused petitioners and the Ld. P.P., Murshidabad.

The Ld. Advocate for the present petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the complainant party of this case entered into an agreement for sale with the petitioners relating to the landed properties on 04.08.2025 and, after expiry of long gap when the petitioners caused development of the land, the complainant party lodged this F.I.R.

He also submits that some of the land owners gave written information at Berhampore police station giving a clean chit to the petitioners.

It is also submitted by the Ld. Advocate for the petitioners that no such application for bail on the selfsame cause of action has ever been filed before or rejected by the Hon'ble High Court, Calcutta, to which, the Ld. P.P. expressed his agreement.

Ld. P.P., Murshidabad submits that the complainant and others were forced to transfer their lands to the petitioners by way of threat, coercion and force and the petitioners being influential persons, the complainant and others victims could not moved before any public authority to ventilate their grievances. But, now, the complainant and other victims get rid of the influences of the petitioners and they gathered courage to lodge the complaint.

Ld. Advocate of the defacto complainant appears by power and files a petition to oppose the prayer for bail.

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

It appears that the matter relates to huge landed properties involving land of various persons. It also transpires from the record that the petitioner Rakesh Sk. was looking after the land matters as he was the Karmadhyakshay of concerned Panchayet Samity.

Having regard to the facts and circumstances of the case and the nature of the allegations, it appears that the allegation made have a direct social impact and the Investigating Agency should get free hands to investigate the same and allowing the instant application for anticipatory bail at this stage may impede the investigation.

In view of above, I do not find it a fit case for granting anticipatory bail.

Accordingly, the prayer for anticipatory bail stands **rejected**.

Return the C.D. and T.C.R.

The Crl. Misc. Case is thus disposed of.

Dictd. & Cortd.
by me.

S. J., Msd. (I/C.)

Sessions Judge, Murshidabad
(In-Charge)