

Crl. Misc. Case No. 494 of 2026

Present : Smt. Sangita Dutta
Sessions Judge, Malda. (*In-charge*)

Order No. 03 dated 07-03-2026

This is an application u/s 483 of B.N.S.S. filed on behalf of the present accused-petitioner namely, Debasish Ghosh @ Raja in connection with English Bazar P.S. Case No. 2396/2025 dated 22.11.2025 under Sections 103(2)/49 of B.N.S. The said application is taken up for hearing.

Before proceeding with hearing the said application, this Court specific queried from the Ld. Advocate representing the present accused-petitioner as to whether any other similar application is pending in either the Hon'ble Court, Calcutta or in the Hon'ble Supreme Court. This Court further queried there has been any earlier rejection of any application for bail in an earlier occasion by the Hon'ble High Court or the Hon'ble Supreme Court.

The Ld. District P.P. as well as the Ld. Advocate representing the present accused-petitioner submitted that no such application is pending and/or there is no order of rejection from either the Hon'ble High Court, Calcutta or the Hon'ble Supreme Court.

The Ld. Advocate representing the present accused-petitioners submits that the accused-petitioner herein is innocent and he has been falsely implicated in the instant case. He has no nexus with the offence as alleged. The Ld. Advocate for the accused-petitioner further submitted that he has been falsely implicated in the case and has already undergone detention for a considerable period of time. The investigation has also made substantial progress, though he was taken on remand. He, therefore, prays for bail in respect of the present accused-petitioner on any condition.

The learned District P.P. submits that the instant case is indeed a serious one and allowing the prayer for bail would highly prejudice the prosecution. He, therefore, prays for rejection of the prayer for bail.

Ld. Advocate representing the present accused-petitioner and the Ld. District P.P. is heard at length.

Perused the LCR and CD.

Upon perusal of the CD and LCR it appears that in the instant case the accused-petitioners are in custody since 23.11.2025. Charge-sheet has already been filed but considering the gravity of the offence and the involvement of the accused-petitioner in the alleged offence, I am not inclined to allow the bail petition. Accordingly, the prayer for bail u/s 483 of BNSS stands rejected.

Return the L.C.R and the C.D.

The Crl. Misc. Case is thus disposed of.

Dictated & Corrected by me,

Sessions Judge, Malda. (I/C)

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