

Crl. Misc. Case No.676 of 2026

Present : Smt. Sangita Dutta

Sessions Judge, Malda. (*In-charge*)

Order No.02 dated 11-03-2026

This is an application u/s 483 of B.N.S.S. filed on behalf of the present accused-petitioner namely, Ganesh Roy in connection with Malda P.S. Case No.574/2025 dated 16.08.2025 under Sections 85/117(2)/110/351(2)/3(5) of BNS R/W Section 3/4 of D.P. Act. 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-petitioner 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. 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.

The Ld. Advocate for the defacto complainant files an affidavit stating that the defacto complainant/victim presently residing at her matrimonial home. The defacto complainant/victim is physically present before this Court and on being asked, she also admitted the same fact and raises no objection against the bail prayer.

Upon perusal of the CD and LCR it appears that in the instant case the accused-petitioner is languishing in custody since 21.02.2026. Charge-sheet has already been submitted in this case on 31.10.2025. The period of detention is substantial. Considering the completion of investigation, I do not find any effective purpose would be served by his continuance in custody,. Hence, the prayer for bail is allowed.

Hence, it is

ORDERED

that present accused-petitioner namely, Ganesh Roy shall be released on furnishing bail bond of **Rs.5,000/-with two sureties of Rs.2,500/-each, out of whom one must be local**, subject to satisfaction of the Learned C.J.M, Malda.

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)

Sessions Judge, Malda. (I/C)