

Crl. Misc. Case No. 795 of 2026

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

Order No. 02 dated 20-03-2026

This is an application u/s 483 of B.N.S.S. filed on behalf of the present accused-petitioner namely, Sadek Sk. in connection with Manikchak P.S. Case No. 881/2025 dated 08.12.2025 under Sections 329(4)/118(2)/109/76/351(2)/3(5) 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-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.

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-petitioner is in custody since 27.01.2026. Perused the materials in the CD, the injury report at page 105 to 230 in the CD, and the statements available in the CD recorded under Section 183 BNSS. Considering all aspects, I find that there is enough materials available against this accused-petitioner regarding his involvement in the alleged crime. 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)

Sessions Judge, Malda. (I/C)