

Present : Sri Debdeep Manna
Additional Sessions Judge (FTC-I), Krishnagar
and In-charge of Sessions Judge, Nadia.

Criminal Misc. Case No. 643 of 2026

Order No. 02
02-04-2026

The application for bail U/s 483 of the BNSS filed on behalf of accused/petitioners **(1) Dip Sarkar, (2) Ritam Mukherjee and (3) Srijit Dutta @ Sujit** who are in custody in connection with **Kotwali** P.S. Case No. 240/2026 dated 05.03.2026 under sections 103(1)/3(5) of the BNS is taken up for hearing along with LCR and CD.

Heard Learned Advocate for the accused/petitioners as well as Learned Public Prosecutor.

At the outset, Learned Advocates of both sides state that no similar bail application is preferred, pending before or rejected by any Higher Court of law.

Learned Advocate for the accused/petitioners, while moving the application under section 483 of the BNSS, submits before the Court that these petitioners along with their friends including victim went for a picnic and son of the complainant died as he was drowned in a pond in the said picnic spot. These petitioners have no involvement in the alleged incident. This is an accidental death. These petitioners are students. There is no foul play involved in the alleged incident. These petitioners are in custody since 06-03-2026 and their study is getting hampered. So, considering the period of detention, the prayer for bail of the accused/petitioners should be allowed.

On the other hand, Learned Public Prosecutor raises objection regarding the prayer for bail under Section 483 of the BNSS, on the ground that these accused/petitioners along with others took the son of the victim on the pretext of picnic and thereafter complainant received information that his son was drowned in a pond at the said place.

Considered the submissions of both sides.

Perused the materials on record and CD.

Having heard the submissions of both sides, as aforesaid and perusing the materials in LCR and CD, P.M. report and other materials placed before me, it appears that these accused/petitioners are named in the FIR. These petitioners along with his friends took the son of the complainant on the pretext of a picnic on 04-03-2026 and thereafter the complainant received information of death of his son to the effect that his son was drowned in a pond in the said place and thereafter on 05-03-2026 dead body of his son was recovered from the pond by drivers. It has been alleged that these petitioners along with others on account of per-planned conspiracy, intentionally murdered his son. The allegation is serious in nature. The complainant has lost his son. The investigation is at initial stage.

Keeping in view the aforesaid facts and the nature of offence as alleged and that the investigation is at initial stage, I am not inclined to allow the prayer for bail under section 483 of the BNSS to the accused/petitioners.

Hence, the prayer for bail of under Section 483 of the BNSS of stands **rejected.**

CD and LCR be returned.

Criminal Misc. Case, is, thus, finally disposed of.

Dictated & Corrected by me
Sd/- Debdeep Manna
Sessions Judge, Nadia
(In-Charge)
02-04-2026

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Sessions Judge, Nadia
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