

**Crl. Misc. Case No.40/2026 (R-40/2026)**

**Arising out of Sankrail P.S. Case 110/2025 dated 16/09/2025 u/s 318(3), 336(3), 340(2), 338, 61(2), of BNS and adding Sec.317(4) of B.N.S.**

**Present : Sri Sarajit Mazumder  
Dist. & Sessions Judge, Jhargram  
J.O. Code : WB00646**

Order No.05 dt. 24.03.2026

Today stands fixed for hearing of the instant Criminal Misc. Case. C.D. is produced.

The record is now taken up for hearing.

This is an application u/s 483 of BNSS filed by the applicant namely, **Rudranarayan Mahata** in connection with **Sankrail P.S. Case 110/2025 dated 16/09/2025 u/s 318(3), 336(3), 340(2), 338, 61(2), of BNS and adding Sec.317(4) of B.N.S.** and G.R. Case No.939/2025.

At the very outset Ld. Advocate for the applicant submits that no application for bail u/s 483 of BNSS of the accused/applicant has either been rejected by the Hon'ble High Court Calcutta or is pending for disposal before the Hon'ble High Court Calcutta.

Ld. Advocate for the applicant submits for bail on the ground that this applicant is in custody since 05.10.2025 and investigation is still pending. He also submits that incomplete C.S. submitted on 14.12.2025. According to him from the last but one para of the charge sheet it is apparent that I.O. admitted that investigation could not be completed within 90 days. He further submits that accused is entitled to be enlarged on bail unless investigation is completed within statutory period. As such applicant is entitled to be enlarged on statutory bail. He further submits that on the basis of preliminary enquiry statutory right of the applicant cannot be curtailed. On this score he refers the decision of Hon'ble Supreme Court of India passed in Manu Sharma Vs. State (NECT Delhi) and the decision of Hon'ble High Court of Calcutta passed in CRM (NDPS) 1509 of 2024. He also refers the decision of Hon'ble Bombay High Court passed in Sharadchandra Vinayak Dungere Vs. State of Maharashtra. He also refers the decision of Hon'ble Andhrapradesh High Court in Akula Ravi Teja Vs. State A.P.

He further submits that CID has taken the charge of further investigation and thus, it cannot be concluded that investigation is over.

Ld. P.P. Jhargram submits that there is no special P.P. in the matter appointed through CID West Bengal and thus, he should be heard on behalf of the State. I.O. of CID West Bengal is personally present.

Ld. P.P. Jhargram strongly opposes bail. According to him on several occasion Hon'ble High Court Calcutta has taken up the matter in connection with bail application in respect of other accused persons and in all those occasions Hon'ble Court has rejected the bail prayer of all the accused persons. Application for bail of Debangshu Pahari is still pending before the Hon'ble Court.

He also points out that the instant case has been recorded on 16.09.2025 and this accused was arrested on 04<sup>th</sup> October, 2025. I.O. has submitted charge sheet on 14<sup>th</sup> December, 2025. He also refers page no.47 of Vol. No.IV. 14, 15, 25, 56, 58, 60, 61, 98, 99, 100, 142. C.D. itself reveals that this accused took active part in commission of the crime. So, his bail prayer should be rejected.

He further submits that the factual aspect of those refers cases being different are not applicable in this case.

(2)

In reply Ld. Advocate for the applicant submits that Hon'ble Court has been pleased to reject the prayer of bail in respect of other applicant on merit and there was no question of statutory bail.

Perused the C.D. Considered.

It is alleged that huge number of deeds have been registered by using false documents covering two mouzas namely, Bakra and Angarnali resulting cheating of a large section of people pursuant to the conspiracy.

Fact remains that C.S. has been filed seeking permission of Ld. Magistrate for submitting supplementary charge sheet as the nature of the case is complex and the visible spectrum of investigation is huge. By filing C.S. I.O. has just prayed for permission of the Ld. Magistrate for filing supplementary charge sheet(s) in due course of investigation after receiving reports from CFDEEL and after receiving other connected reports.

In this case sufficient materials have already been collected by the I.O. based on which cognizance could be taken on 15.12.2025 including offence of organized crime. So, it cannot be said that I.O. is going to start a de novo investigation. In this case C.S. has not been filed in preliminary form. Thus I am of the humble view that the decisions of Hon'ble Courts relied upon by the applicant have got no bearing in this case.

It is contended by the Ld. Advocate for the applicant that Sec.317(4) of BNS has been inserted only to convert this case to a sessions triable case.

There is overwhelming material against this applicant. Considering the materials in the C.D. including the statements of the witnesses recorded u/s 180 and 183 of BNSS and its impact upon the society at large I am not inclined to enlarge this applicant on bail. As such prayer for bail stands **refused**.

Let a copy of this order be sent to Ld. CJM, Jhargram for information.

The Crl. Misc. Case is thus disposed of.

CD & L.C.R. be returned.

Dictt. and Corrt. by me,

Sd/-  
S.J.

Sd/-  
Sessions Judge, Jhargram.