

08.07.2026
Sl. No.46
Court No.7
SD
(Rejected)

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (M) 155 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 filed in connection with Matigara Police Case No.747 of 2024 dated 21.12.2024 under Sections 329(3) /115(2) /117(2) /303(2) /326(g) /351(2) /35/111(2)(b) of the BNS, 2023.

In Re : Md. Salman

... Petitioner

Mr. Rajesh Kumar Sharma

Mr. Bickey Sharma

... for the Petitioner.

Mr. Avrojoyti Das, Ld. APP

Mr. Atul Dong

... for the State.

Mr. Sayan De

Mr. Rimik Chakraborty

... for the Defacto.

1. The petitioner is in custody for seven months.
2. It has been submitted that all other accused persons are on bail. Investigation of the case is complete and charge sheet has been submitted. There is no requirement of keeping the petitioner in custody for further custodial interrogation. Prayer has been made for grant of bail.
3. Learned APP and the learned counsel for the defacto complainant strongly oppose the prayer for bail.
4. It has been submitted that the petitioner is a habitual offender. He is a land mafia and he is involved in illegal grabbing and selling of lands. There are several criminal cases pending against the petitioner. His prayer for bail on earlier occasion stood rejected by the Court.

5. In reference to the order passed by the Hon'ble Supreme Court on March 13, 2026 in SLP (CrI) No(s).2904 of 2026 in favour of the other accused person, namely, Saurav Kumar who is also a co-accused it has been submitted that the conduct of the said Saurav Kumar (supra) is completely different to the conduct of the petitioner herein.
6. The petitioner was granted interim bail by the learned trial court but as because he failed to comply the conditions imposed upon him by the learned court, his bail stood cancelled.
7. It has been submitted that if the prayer for grant of bail of the petitioner is allowed, then he will commit similar such instances in future.
8. Upon hearing the submissions made on behalf of all the parties and on perusal of the materials placed before this Court and particularly the order passed by the Hon'ble Supreme Court in the matter of Saurav Kumar (supra), it appears that the conduct of Saurav Kumar (supra) and that of the petitioner do not match with each other.
9. Saurav Kumar (supra) and the petitioner may be the co-accused in the subject case, but as the conduct of the parties are not similar, relief granted in favour of Saurav Kumar (supra) cannot be granted in favour of the petitioner. There are serious allegations against him. There are instances of the petitioner not complying with the conditions imposed upon him at the time of grant of interim bail.
10. The prayer for bail of the petitioner was considered by the Court in CRM(M) 12/2026 and the same stood

disallowed by order dated November 13, 2026. There is hardly any change in circumstance within such short period of time requiring re-visiting the prayer of the petitioner for grant of bail all over again.

11. Under such circumstances, this Court is not inclined to allow the prayer for bail of the petitioner.
12. The application stands dismissed.
13. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.
14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)