08.10.2026
ct 33
sl no. 37
cm

C.R.M.(M) No. 2072 of 2026

In Re : In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bishnupur Police Station Case No. 112 of 2026 dated 11.04.2026 Sections 103(1)/61(2) of the Bharatiya Nyaya Sanhita, 2023.

And

Rejected

In Re : Rafikul Mondal @ Sekh Rafikul Mandal & Anr.

..... petitioners

Mr. Arindam Jana
Mr. Saikat Guin
Mr. RAhul Surtani

..... for the petitioners

Mr. Pritam Roy
Mr. Shankar Mukherjee

..... for the State

Mr. Suddhadev Adak
Ms. Richa Pramanik
Mr. Samrat Hoque

... for the De facto complainant

1. The learned advocate representing the petitioners submitted the petitioners have been in custody since six months. The charge-sheet has been filed, however, the case has not been committed till date. The petitioners have been apprehended on the ground of suspicion, being present with the victim as last seen together at 9.00 A.M. in the morning. It was further submitted the petitioners had backnoned the victim from his house to accompany them in the morning and the victim was found dead at 5.00 P.M. in the evening in the canal. The postmortem indicated the reason of death to be drowning. Since there is no complicity and direct involvement of the present petitioners, only on the ground of suspicion they cannot

be incriminated, and, therefore, prayer for bail shall be allowed.

2. The learned advocate representing the de-facto complainant referred to a complaint dated 8th August, 2026 of second occasion after the first complaint lodged in the month of April, 2026 regarding threatening by the family members of the petitioners in custody.
3. The learned advocate representing the State submitted the incriminating statements to have been recorded under Section 183 of the BNSS at Pages 87, 88, 89 and 90 of the case diary.
4. The learned advocate representing the State further referred to the statements recorded under Section 180 of the BNSS at Page 103 stressing the petitioners were witnessed to remove the victim from the canal. The contradictory statements in the postmortem report, the statements recorded under Section 183 of the BNSS and 180 of the BNSS indicated severe allegations against the petitioners. The charges are yet to be framed by the Court. At this juncture, the prayer for bail of the petitioners is rejected.
5. The Trial Court is to frame the charges and proceed with the trial as expeditiously as possible without granting unnecessary adjournment to either of the parties.
6. The memo of evidence filed by the State be taken on record.

7. Accordingly, the application being CRM(M) 2072 of 2026 is dismissed.

(Ananya Bandyopadhyay, J.)