

Order No.03
10-01-2024

The bail petition dated 08-01-2010 for accused Rajyadhar Mondal and Sufal Mondal are taken up for hearing. Ld. Lawyer for the accused and Ld. PP in-charge are present.

Perused the bail petition.

Heard the learned Lawyer for the petitioner and learned P.P-in-charge.

Learned Lawyer for the petitioner prays for bail banking upon the detention already undergone by this petitioner. Further submission of the Ld. Lawyer for the petitioner is that, charge sheet has already been filed and one co-accused has already been released on bail by this Court being the mother-in-law of the deceased and there is no prayer from I.O for proper custodial trial. As such Ld. Lawyer for the petitioner prays for bail at any stringent condition.

On the other hand, Ld. PP-in-charge raised strong objection by pointing out the nature and gravity of the offence and as there is sufficient materials against the petitioner for commission of murder of deceased. As such Ld. PP in-charge raised objection in releasing the petitioner on bail.

Considered.

Perused the L.C.R and CD.

Upon such perusal of case record and C.D and taking notes of submission of Ld. Lawyer for both sides, it reveals that after commission of murder the petitioner put the dead body in a shack for concealing and washing out the evidence but failed. The statements of witnesses u/s 161 of Cr.P.C as well as 164 Cr.P.C also goes against the interest of petitioner and there is direct involvement of this murder by the husband of the deceased namely Sufal Mondal and in absence of assistance of co-accused it was not possible for him to put the dead body in a shack. As such at this stage the part played by the father of the principal accused cannot be segregated. Further the same footing does not mean that the present petitioner are liable to release on bail as another co-accused being female has been released on bail.

In this circumstance considering the nature and gravity of offence and manner of its commission, I do not find it a fit case for releasing the accused persons on bail.

To date for production and charge.

(Dictated & Corrected by me)

Additional Sessions Judge,
Rampurhat, Birbhum,
J.O Code WB00770

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