

Sessions Case No. 203 of 2023
CIS No 104/2023
CNR No. WBBB090001892023

Order no. 51

Dated : 19/09/2025

Today is fixed for production of the accused and hearing of bail petition dated 03.09.2025 and evidence.

Accused Sk. Ali Mohammad is produced from J/C and taken into custody.

Ld. P.P. is present.

No witness is present.

Ld. Defense counsel submitted that the accused is in the custody for more than two years. The prosecution has examined 12 witnesses including the victim girl and other witnesses. The accused may be released on any terms and condition and he will be present on the every date of hearing of the case. He referred the decision of Hon'ble Supreme Court of India decided criminal appeal no. 2787 of 2024 and draw the attention of this court over the para no. 19, 20, 21, 22, 23 of the said judgment and pray for bail of the accused.

Ld. P.P. vehemently raised objection against the bail of the accused and submitted that is well settled decision of the Hon'ble Supreme Court of India that the accused cannot released on bail once the trial of the heinous offence like murder, dacoity, rape. The bail petition of the accused has been already rejected by the Hon'ble High Court Calcutta. The victim girl is a deaf and dump lady and pray for rejection of the bail petition.

Heard both sides. Considered.

On perusal of the materials on the case record it appears that the prosecution has already examined complainant and the victim of this case. The victim is a deaf and dump lady. The allegations and the oral testimony of the victim girl is very serious. Moreover, the Hon'ble High Court has already rejected the bail application of the accused during the investigation of the case. The Ld. Defense counsel has relied the decision of the Hon'ble Supreme Court of India deals regarding the bail of the accused in a case relating to recovery of counterfeit Indian Currency Notes which is quite different from the fact of the case.

Having regard to the evidence and the nature of the offence this court is not inclined to allow the bail application of the accused. Accordingly the bail petition of the accused stands rejected and remanded to J.C. till 31.10.2025.

The prosecution is directed to produce the witnesses on the next date for recording of evidence.

Fix 31.10.2025 for production of the accused and evidence.

D & C by me

Addl. Dist. & Sess. Judge
Fast Track Court
Dubrajpur Birbhum

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