

IN THE COURT OF JUDGE SPECIAL COURT (SC & ST) ACT, BURDWAN

Present : Bishnu Baran Mondal

Judge Special Court (SC & ST) Act,

Burdwan

Spl (SC & ST) Case no. 07 OF 2022

Order No. 11 dated 06/06/2023

Today is fixed for appearance of three accused persons.

One vakalatnama filed for accused Asatulla. All the FIR named accused persons, namely, 1) Swapan Dey @ Swapan Kumar Dey, 2) Sadhan Dey @ Sadhan Kumar Dey and 3) Bhajan Dey @ Sanat Kumar Dey have filed surrender bail petition.

De facto complainant has filed hazira.

On call all three accused persons, are found present. They are taken into custody and remanded to J.C. till 20/06/2023.

Heard Ld. Advocate for the accused persons, de facto complainant and Ld. P.P.-in-charge.

Ld. Advocate for the accused persons submitted that there is land dispute between his clients and the de facto complainant and no incident as alleged took place. His clients are innocent and they have been falsely implicated in this case and they may be granted bail on any condition.

On being asked in open court the de facto complainant submitted that the accused persons often abused them by saying that they belong to lower caste. She opposes the bail prayer.

Ld. P.P.-in-charge submitted that the accused persons abused the complainant by the name of his caste and he strongly opposes the bail prayer.

On being asked by this court Ld. Special P.P. submitted that there is nothing in the case record to show that notice u/s 41 A Cr.P.C. was served upon the accused persons.

Having regards to the facts and circumstances of the case, submission for the accused persons, submission of prosecution, submission of de facto complainant and, also considering completion of investigation and materials in CD this court is of considered view to grant bail to all three accused persons.

Hence, the prayer for bail is considered and allowed.

The accused persons, namely, 1) Swapan Dey @ Swapan Kumar Dey, s/o Mrityunjay Dey 2) Sadhan Dey @ Sadhan Kumar Dey, s/o Shankar Prasad Dey and 3) Bhajan Dey @ Sanat Kumar Dey, s/o Shankar Prasad Dey all of Belpukur Kanchannagar, PS-Burdwan Dist.-Purba Bardhaman, be released on furnishing bail bond of Rs.1000/- each with one surety of like amount, subject

to the satisfaction of Ld. CJM, Burdwan .

If on bail to date i.e. 20/06/2023 for appearance.

At this stage Ld. Advocate , Uday Sankar Koner submitted that the accused persons be allowed to remain under his charge and submitted that he will furnish bail bond immediately and the accused persons are allowed to remain under the charge of Ld. Advocate for the accused persons.

Ld. CJM, Purba Barddhaman is requested to accept the bail bonds, if furnished as early as possible and to sent the same to this Court.

CD be returned.

A copy of this order be forwarded to the Ld. CJM, Purba Barddhaman for information and necessary action.

D/C by me

sd/-
Judge Special Court
(SC & ST) Act, Burdwan.

sd/-
Judge Special Court
(SC & ST) Act, Burdwan
(J.O.Code WB 00776)