

CNR-WBBD01-003825-2023

Spl (SC & ST) Case no. 35 of 2023

Order No. 05 dated 20/09/2023

Sole accused Sudip Pal is produced from J.C.. He is taken into custody and remanded to J.C. till 04/10/2023.

Today is fixed for production of the accused, appearance of the defacto complainant, and hearing of bail petition of the accused person.

De facto complainant i.e. the victim girl has appeared by filing vakalatnama and she is present in court.

The bail petition filed on behalf of the accused person is taken up for hearing.

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

Ld. Advocates for the accused person submitted that the accused is in custody for more than one month. There is no allegation in respect of SC & ST Act against the accused. The allegation is that the victim was inside a rice mill at 2.00 am and the accused committed rape on her, the allegation cannot be believed as because there was no necessity of victim to go inside of rice mill at 2.00 am. His client is innocent and he has been falsely implicated in this case and he may be granted bail on any condition.

On being asked in open court the de facto complainant submitted that the accused committed misdeed with her as she belongs to lower caste, she prays that accused should not be granted bail.

Ld. Special P.P. submitted that it is fact that this is a case u/s 376 of IPC and SC & ST Act and there is serious allegation against the accused and he opposes the bail prayer.

In the instant case there is direct allegation against the accused is that he committed rape on the victim girl, and the victim girl herself has lodged the complaint. In the CD there is sufficient materials against the accused person.

Having regards to all the above discussed facts, other facts and circumstances of the case, submission for the accused person, submission of prosecution, submission of de facto complainant, and materials in CD, this court is not inclined to grant bail to the accused person.

Hence, the prayer for bail is considered and rejected.

To 04/10 /2023 for production and IO's report.

CD be returned.

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)

Spl. (SC & ST) no. 22/2023

Later : dated 29/08/2023

Received letter no. 1872 dt. 29/08/2023 of CJM, Purba Bardhaman along with five bail bonds furnished by Krishnendu Ghosh, Advocate surety of the accused persons, namely Sanjib Ghosh, Sisir Ghosh and Basna Ghosh. Bonds are accepted by Ld. CJM, Purba Bardhaman. Let the same be kept with the record.

Let the accused persons be released at once.

Dictated and Corrected by me.

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

Judge, Special Court
(SC & ST Act), Burdwan

(J.O.Code WB 00776)

