

In the Court of the Special Judge-cum-Additional Sessions Judge, Kalna, Purba

Bardhaman

Sessions (Special) Case No. 4 of 2026

Order No. 28 dated 03-06-2026

Accused Ripon Barui is produced from J.C.

Accused Pintu Barui, Rabindra Nath Das and Balaram Barui on bail are present along with their Ld. Advocate.

Ld. Spl. PP-in-charge and Ld. Advocate for defacto complainant are also present.

Today is fixed for hearing of the discharge prayer of accused persona namely, Pintu Barui, Rabindra Nath Das and Balaram Barui.

In the present case while submitting charge-sheet IO prayed for discharge of above mentioned 03 accused persons as no evidence could be collected regarding their involvement in the case. Against the said prayer objection was raised on behalf of the defacto complainant and after considering the material in CD this court directed the IO to submit further report after examining CC TV footage of different toll plaza on the way to Digha and registers of the guest houses in which the victim and accused persons stayed. Subsequently, further investigation report has been submitted by the IO.

At the time of hearing Ld. Advocate for the accused persons submitted that no material like CCTV footage of Toll Plaza, entry into the hotel registers or the details of the car mentioned by the complainant and the victim could be collected showing involvement of the accused persons. CD contains the statement of the driver of the car which were traced by the IO to take the victim to the hotel and he mentioned that the vehicle was hired and also stated name of the persons who travelled by the car but did not say anything about the present accused persons. Nothing could be collected during investigation showing involvement of the accused persons and they were falsely implicated by the complainant out of grudge.

Ld. Advocate for the defacto complainant submitted that necessary order may be passed after perusal of the report of further investigation by the IO.

Ld. PP in charge submitted that prosecution has not get proper assistance from the defacto complainant. Statement of the victim does not support discharge of the accused persons. Names of the three accused persons in any of the hotel registers could be found and it is confusing as to why the victim named the three accused persons alleging their involvement in the present case.

Considered submissions of all sides.

It can be seen from the report of further investigation that IO collected details of the vehicles passing through Dhulagarh and Sonapetia toll plaza and it appears that FIR named vehicle number WB 08E 1847 passed through those two toll plazas on 05.12.2025 only while the victim was kidnapped on 03.12.2025 in the evening. It also appears that the victim and accused Ripon Barui stayed at Digha in Mantu Guest House on 04.12.2025 and left the guest house in the morning of 05.12.2025. It also appears that vehicle no.WB 43B 7254, which was found to have been involved in the alleged offence crossed the Toll Plazas

on 04.12.2025 at 3.07 am and 4.57 am which is in conformity with the statement of the victim and also the relevant time of the entry of Ripon Barui and the victim at Mantu Guest House. This fact together with the statement of the driver of vehicle bearing no.WB 43B 7254 shows that the victim along with accused Ripon Barui approached him to hire his vehicle but there is nothing to suggest that the other three accused persons accompanied them.

Therefore, considering the materials in the CD it appears that there is nothing to suggest that the accused persons namely Pintu Barui, Rabindra Nath Das and Balaram Barui were involved in the alleged offence and they are discharged from the case.

At this stage Ld. Advocate for the accused Ripon Barui files a petition praying for release of the accused person on bail.

Heard both sides. Considered.

From the CD it transpires that the statement of the victim regarding involvement of the vehicle number WB 08E-1847 was found to be false and her statement regarding involvement of three other accused also could not be established. Although earlier objection was raised from the side of the complainant regarding discharge of the three accused persons but today they have taken an U turn and supported the investigation conducted by the IO. Considering the overall circumstances and period of detention prayer for bail is allowed.

Accused Ripon Barui may find bail by furnishing bond of Rs.10,000/- with one surety of the like the amount to the satisfaction of the Ld. ACJM, Kalna with condition not to meet the victim or any of the witnesses or make any attempt to influence them in any way and not to leave the jurisdiction of this court without previous permission from the court.

To 16.06.2026 for appearance if on bail and consideration of charge in respect of accused Ripon Barui.

Let a copy of this order be sent to Ld. ACJM, Kalna for information and necessary action.

Dict. & corr.)

Sd.-C. Bhattacharya
Special Judge (Pocso Act),Kalna

SD./- C. Bhattacharya
Special Judge (Pocso Act),Kalna

Memo. No. Dtd. Kalna 3rd June, 2026

Copy forwarded to Ld. ACJM, Kalna for information and necessary action. It relates to Purbasthali PS case 369 of 2025 dt.7.12.25.

Addl. Sessions Judge, Kalna.