

In the Court of the Addl. Sessions Judge, Kalna, Purba Bardhaman
Pre : Sri Sudhir Kumar (UID Code-WB00589), Addl. Sessions Judge,
Kalna

Ref : Sessions Case No. 73 of 2020 (S.T. no- 19/2020) (E. Regd. No. 73 of 2020)

(State Vs. Accused 1. Akila Bibi w/o. Lt. Sabar Ali and 2. Wasim Akram Sk S/o. Nazer Ali Sk of village Kharduttapara, P.S. Purbasthali, District Purba Bardhaman in c/w Purbasthali P.S. Case No.78/2020 dated 23.03.2020 u/s.- 302/201/34 of I.P.C. corresponding to G.R. Case No. 490/2020)

Order No. 42 dated 11.08.2022

Today is fixed for hearing of bail petition. C.D. is produced today.

Bail petition of accused Akila Bibi is moved.

Ld. lawyer of accused submitted before this Court that no direct evidence came against this accused. Moreover she has two children and there is none to look after them. Accordingly he prayed for bail. He also submitted that most of the witnesses have been examined in this case.

Ld. PP in charge opposes the bail petition on the ground that most of the witnesses have been examined and some witnesses are left out. He also submitted that there is circumstantial evidence against the accused person and the evidence which came on record implicate the accused in this case. Accordingly he prayed to reject the bail petition.

Ld. Defence Counsel made one more submission that the bail petition of this accused should be considered in the light of 75 years of Independence of India. Here I would like to mention that the circumstantial evidence which came on record against the accused shows prima facie involvement of this accused in this case. Anyway it is a matter of trial. As far as releasing the accused on the ground of 75 years of Independence of India has been referred to this Court for the women who are old in their age but in this case this accused is not so old and as it has been submitted from the side of Ld. defence counsel that she is aged about almost 35 years. If that be so, then she does not fall under the criteria which has been laid down for releasing the accused on the occasion of 75 years of Independence and at this stage it cannot be said that there is no material against the accused person. Hence, bail petition of this accused is rejected at this stage. C.D. be returned.

To date (16.08.2022) for production and evidence.

Dict. & corr.,)

Sd/- Sudhir Kumar
Addl.Sess.Judge,Kalna

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