

S.C. 27 of 2023
CNR. no. WBBK090000932023

In connection with Simlapal P.S. case no. 132 of 2022 dated 17.12.2022 U/s 498A/302/109/34 of IPC and corresponding to GR no. 768/2022

Order No- 08
Dated – 04.05.2023

Today is the date fixed for hearing of the bail petition dated 26.04.2023 filed on behalf of the accused persons namely Ranapratap Singha Mahapatra, Rudrapratap Singha Mahapatra and Renuka Singha Mahapatra U/s 439 Cr.P.C.

Ld. Public Prosecutor In-charge of this case is present.

Ld. Advocate for the said accused persons is present.

Ld. Advocate for the said accused persons has submitted that these accused persons are in custody since 20.01.2023 and charge-sheet in this case has been filed. He has further submitted that in this case supplementary charge-sheet has been filed, in which there are some records of telephonic calls but that records itself falsify the case of the prosecution that immediate before the death of the victim there were conversations between the victim and parents of the victim. He has further submitted that the accused persons are in custody for more than 100 days. He prays for enlarging these accused persons on bail on any conditions.

Ld. Public Prosecutor In-charge of this case has vehemently opposed the bail prayer of these accused persons, and submitted that the bail petitions of these accused persons has been rejected by this court on 24.03.2023 by discussing in details the claim of the defence and there are no any change of circumstances for considering the present bail petition filed on behalf of the accused persons. He has further submitted that the CDR filed with supplementary charge-sheet fully corroborate the case of the prosecution. He prays for rejecting the bail prayer of these accused persons.

I have heard the submissions of the Ld. Advocate for the said accused persons, and the P.P. In-charge of this case and perused the records including CD. From the records, it is revealed that the bail petitions of these accused persons has been rejected by this court on 24.03.2023. From the records, it is revealed that in this case supplementary charge-sheet has been filed containing CDR and contents of those CDR indicate that some conversations were happened between the father of the deceased and accused person Rudrapratap Singha Mahapatra lastly on 14.12.2022 at about 11.01 p.m. and as per the records victim was died on 15.12.2022. It is fact that these records in CDR vary the prosecution case in respect of happening of telephonic the conversations between the parents of the victim and victim just before the death of victim but such variations effect on the case of prosecution cannot be assessed at this stage as none of the prosecution witnesses have been examined. With above observations and considering the materials on records specially the contents of recorded statement U/s 164 Cr.P.C of CSW 4, recorded statement U/s 161 Cr.P.C of CSW 2 and CSW 4, contents of postmortem examination report and subsequent clarification in respect of said postmortem examination and seriousness of allegations against these accused persons, I am of the view that it will not be justified to enlarge these accused persons on bail at this stage, hence, the bail petition dated 26.04.2023 filed on behalf of accused persons namely, Ranapratap Singha Mahapatra,

Rudrapratap Singha Mahapatra and Renuka Singha Mahapatra is rejected, in corollary the accused persons namely Ranapratap Singha Mahapatra, Rudrapratap Singha Mahapatra and Renuka Singha Mahapatra are remanded to J/C till next date fixed.

Let CD be returned.

With the above observations, bail petition dated 26.04.2023 filed on behalf of accused persons namely, Ranapratap Singha Mahapatra, Rudrapratap Singha Mahapatra and Renuka Singha Mahapatra is disposed of.

To date (11.05.2023) for production of the accused persons and consideration of charge.

Dictated and Corrected by me,

Additional Sessions Judge,
Khatra, Bankura

Additional Sessions Judge,
Khatra, Bankura
J.O. Code WB01399