

S.C. 68 of 2022
CNR. no. WBBK090002562022

In connection with Barikul P.S. Case no. 19 of 2022 dt. 28.05.2022
U/s 376 of IPC corresponding to GR no. 229/2022

Order No-7
Dated – 07.01.2023

Today is the date fixed for hearing of the bail petition dated 21.12.2022 filed on behalf of the accused person namely Uttam Singh Sardar U/s 439 Cr.P.C.

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

Ld. Advocate for the said accused person is present.

Ld. Advocate for the said accused person has submitted that this accused person is in custody since 04.06.2022, and charge-sheet in this case has been filed. He has further submitted that, other two co-accused persons of this case have already been enlarged on bail by the Hon'ble High Court in the matter of CRM (DB) No. 3926 of 2022 dated 10.11.2022 and in CRM (DB) no. 4353 of 2022 dated 12.12.2022. He has further submitted that the present accused person footing is similar to the other co-accused persons who have been enlarged on bail by the Hon'ble High Court. He prays for enlarging this accused person on bail on any conditions.

Ld. Public Prosecutor In-charge of this case has vehemently opposed the bail prayer of this accused person, and submitted that allegations against this accused person are serious. He has further submitted that the footing of this accused person is not similar to the footing of other co-accused persons who have been enlarged on bail by the Hon'ble High Court. He has further submitted that this accused person is the principal accused person in this case. He prays for rejecting the bail prayer of this accused person.

I have heard the submissions of the Ld. Advocate for the said accused person, and the Ld. P.P. In-charge of this case and perused the records including CD. From the records, specially recorded statement U/s 164 Cr.P.C of the victim , recorded statement U/s 161 Cr.P.C. of the witnesses, medical examination report it is revealed that the allegations against this accused person is very serious and this accused person is principal accused person. From the records, it is clear that the footing of the present accused person are substantially different from two other co-accused persons who have been enlarged on bail by the Hon'ble High Court in the matter of CRM (DB) No. 3926 of 2022 dated 10.11.2022 and in CRM (DB) no. 4353 of 2022 dated 12.12.2022. With the above observations and considering the materials on records specially the seriousness of allegations against this accused person, I am of the view that it will

not be justified to enlarge this accused person on bail at this stage, hence, the bail petition dated 21.12.2022 filed on behalf of accused person namely Uttam Singh Sardar is rejected, hence the said accused person namely Uttam Singh Sardar is remanded to J/C till next date fixed.

Let CD be returned.

With the above observations, bail petition dated 21.12.2022 filed on behalf of accused person namely, Uttam Singh Sardar is disposed of.

To date (16.01.2023) for production of the accused person in custody, appearance of the accused persons on Court Bail and consideration of charge.

Dictated and Corrected by me,

Additional Sessions Judge,
Khatra, Bankura

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