

S.T. 03(08)2019
CNR. no. WBBK090002582018

In connection with Ranibandh P.S. case no. 31 of 2018 dated 26.07.2018
U/s 376 of IPC corresponding to GR case no. 337 of 2018

Order No-28
Dated -08.02.2023

Today is the date fixed for production of the accused person and prosecution evidence.

Accused person is produced.

Ld. Advocate for the accused person is present.

Ld. P.P. In-charge of this case is present.

Ld. Advocate for the said accused person has submitted that this accused person was enlarged on bail by this court on 11.10.2018 on merit but because of the misuse of liberty warrant of arrest was issued against this accused person on 24.11.2022, and this accused person was brought under arrest on 28.01.2023 on the strength of warrant of arrest since then this accused person is in custody. He has further submitted that absence of the accused person on previous date was not intentional as due to diary mistake the next date of the said case was not intimated to the accused person. 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 this accused person is habitual absentee and due to his absence trial of this case was delayed. He prays for rejecting the bail prayer of this accused person.

I have heard the submissions of the Ld. Advocate for the accused person and the Ld. Public Prosecutor in charge of this and perused the records including CD. From the records, it is revealed that this accused person was enlarged on bail by this court on 11.10.2018 on merit but because of the misuse of liberty warrant of arrest was issued against this accused person on 24.11.2022, and this accused person was brought under arrest on 28.01.2023 on the strength of warrant of arrest since then this accused person is in custody. Considering materials on records specially the submission of the Ld. Advocate for the accused person that non appearance of this accused person on last date that is on 24.11.2022 was not intentional and this accused person was on bail, I am of the view that it will be justified to enlarge this accused person namely Mithun Sardar on bail on following conditions.

- 1) This accused person will appear in each and every proceeding of the case.
- 2) This accused person namely Mithun Sardar will furnish bail bond of sum of Rs. 1000/- with two registered sureties of Rs. 500/- each to the satisfaction of Ld. A.C.J.M, Khatra.

With above observation, bail petition dated 30.01.2023 on behalf of the accused person is disposed of.

Let CD be returned.

Fix 03.05.2023 for appearance/ production of the accused person and prosecution evidence.

Issue summons upon C.S.W. 2 accordingly.

Let the copy of this order be sent to the Ld. A.C.J.M, Khatra for information.

Dictated and Corrected by me,

Additional Sessions Judge,
Khatra, Bankura

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