

S.C. 98 of 2022
CNR-WBBK090003622022

**In connection with Taldangra P.S. case no. 71 of 2022 dated 07.09.2022 U/s 498A/
302 of IPC corresponding to GR case no. 508 of 2022.**

Order No. 04
Dated 14.12.2022

Today is the date fixed for hearing of the bail petition dated 09.12.2022 filed on behalf of the accused person namely Uttam Kumar Dey u/s 439 Cr.P.C.

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 is in custody since 07.09.2022 and charge-sheet in this case has been filed. He has further submitted that in this case charge-sheet has been filed U/s 306/498A of IPC but case was started U/s 498A/302 of IPC. He has further submitted that from the recorded statement U/s 161 Cr.P.C of the witnesses examined by police and recorded statement U/s 164 Cr.P.C of witness available in CD it is clear that there are no any direct allegations against this accused person. He has drawn the attention of this court at page 54, page 89 of the CD in which there are no any direct allegations against this accused person for commission of the alleged offence. 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 the bail petition of this accused person was rejected by this court on 19.11.2022 in Crl. Misc case no. 60 of 2022 and there is no any change of circumstances for considering this bail petition. He has further submitted that the allegations against this accused person are very serious. He has further submitted that this accused person is husband, and there are specific allegations against this accused person. 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, the P.P. In-charge of this case and perused the records including CD. From the records, specially the recorded statement of witnesses CSW-5, CSW-6, CSW-7, CSW-9 CSW-10, CSW-11, it is revealed that there are specific and serious allegations against this accused person. From the inquest report available at page 77 of CD, it is revealed that there are allegations against this accused person. From the records, it is revealed that the bail petition of this accused person was rejected by this court on 19.11.2022 in Crl. Misc case no. 60 of 2022 and there is no any change of circumstances for considering this bail petition.

With 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

09.12.2022 filed on behalf of this accused person, namely Uttam Kumar Dey is rejected, in corollary the accused person is remanded to J/C till next date fixed.

With the above observations, bail petition dated 09.12.2022 filed on behalf of this accused person, namely Uttam Kumar Dey is disposed of.

Let CD be returned.

To date(24.01.2023) for production of the accused person and consideration of charge.

Dictated & corrected
by me.

A.S.J

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