

Sessions Case No. 24/2024
CNR No. WBCB01-000510-2024.
S.T. No. 05 (03) 2024
CIS No. 24 of 2024

PRESENT : Smt. Mandakranta Saha, A.D.J. 2nd Court, Cooch Behar,
In-charge of
A.D.J. F.T.C., Cooch Behar, **J.O. Code: WB-00825**

Order No. 24

Dated 05.05.2026

Today is fixed for production of accused and evidence.

Sole accused is produced from J/C through V/C.

No witness is present.

A bail petition is filed on behalf of the accused namely *Ajibul Miya @ Bappa Miya*, praying for bail.

Ld. PP in Charge and Ld. Advocate for the accused are present.

Ld. P.P. in-charge raised vehement objection.

Heard both sides and considered.

The record shows that vide order No. 19 dated 18.01.2025 two witnesses namely Sagar Basak and Sani Nandi appeared before the Court for adducing evidence. On 18.01.2025 the accused did not appear before the Court, but appearance was dispensed with vide application u/s 317 of CrPC. The aforesaid order further shows that despite filing petition u/s 317 CrPC the accused persons did not participate in trial and refused for examination of witness. Thus, this court released the witnesses without examination. Thereafter, the Ld. Advocate not pressed the petition u/s 317 of CrPC, consequently, this court issued W/A against the above named accused person.

Again on 20.01.2025, another witness turned up, but due to non appearance of the accused that witness namely SI Bhaskar Sen has been released without examination. The warrant of arrest was issued on 21.01.2025. since the date accused never turned up before the court and the case was filed for present vide order no. 22, dated 29.03.2025.

These factual scenario show the trial is badly hampered due to non-appearance and non cooperation of the accused. For his absence several witnesses have been released without examination. The accused deliberately misused the liberty of bail and thereby hampered smooth trial.

Apart from this there are sufficient incriminating materials available on record.

In the circumstances, it would not be appropriate to release the accused on bail. Hence, bail prayer for bail is refused.

Fix 04.06.2026 for production and evidence.

Issued summons upon CSW 06 and 07.

D/C by me.

I/C , District & Sessions Judge, Cooch Behar
Addl.Dist.Judge,
F.T.C.,
CoochBehar.

I/C , District & Sessions Judge, Cooch Behar
Additional District & Sess. Judge,
Fast Track Court,
CoochBehar.