

Sessions Case No. 59 of 2024

S.T. no. 02(02)2025

CNR : WBCB01-001929-2024

**Present :- Sri Rudra Prasad Ray, A.D.J, F.T.C., Cooch Behar
In charge of A.D.S.J. 3rd Court, Cooch Behar.**

Order No. 15, dt. 25.08.2025 :-

Out of seven accused persons, six accused persons on court bail are present by filing hazira.

One accused Uttam Mondal is produced from J/C through VC.

Today is fixed for production appearance and evidence.

No witness is present. Issue **WWA** against **CSW -09**.

Ld. Advocate on behalf of custody accused Uttam Mondal files a bail petition praying for bail on the grounds stated therein. Copy served.

Ld P.P in charge and Ld defence counsel are present.

Now the bail petition is taken up for hearing in presence of both sides.

Heard both sides in respect of the bail matter.

Considered.

Ld Advocate for the accused submits that accused the accused is detained in custody since 23.03.2024 and from the arrest memo of this accused it is evident that the Arresting Officer never informed him the grounds of his arrest for the reasons for which this accused was being arrested which, accordingly to him, is clear violation of section 50 and 50-A of Cr.P.C. and therefore, the accused is entitled to be released on bail.

Ld P.P-in-charge opposes the bail prayer.

Perused the decisions of the Hon'ble Apex court carefully and considered.

In this case, it appears that the accused had been evading arrest since the registration of this case and while the case was registered on 13.10.2023, he could be arrested on 23.03.2024. From such conduct of the accused it can be clearly understood that he knew why he was evading arrest and why police was searching for him. In this case, it was well known to the accused as to why and on which circumstances and at what grounds he is being arrested and moreover, his bail petition has earlier been rejected by Hon'ble High Court, Calcutta.

Considering these facts and also considering the fact that trial has already commenced in this case and, I am not inclined to enlarge the accused on bail.

Hence, the bail prayer of the accused person namely Uttam Mondal stands rejected.

Fix 20.09.2025 for production, appearance and evidence of C.S.W.-2 and 3.

Fix 22.09.2025 for production, appearance and evidence of C.S.W.-4 and 6.

Fix 23.09.2025 for production, appearance and evidence of C.S.W.-7 and 8.

Fix 24.09.2025 for production, appearance and E/R of WWA and evidence of C.S.W.-9 and 11.

PP In-Charge to produce CD on the next date.

Dictated & Corrected by me,

Sd/-
Additional Sessions Judge,
3rd Court, Cooch Behar, I/C

Sd/-
Additional Sessions Judge,
3rd Court, Cooch Behar, I/C
JO Code No. WB00899