

Sessions Case No. 32/21
(CNR No. WBCB01- 001403-2021)

Order No. 03 dt. 26-07-21

Today is fixed for production of accused persons and bail hearing.

Four accused persons filed two sets of bail applications represented by two respective Ld. Advocates.

Accused persons are produced virtually.

Ld. Advocates for the respective accused persons, ld. P.P as well as ld. Advocate for the defacto complainant are present.

The matter is taken up for hearing.

Ld. Advocates moved their respective bail applications and prayed bail mainly on the ground that these four accused persons have been in custody since long. The record has already been committed and thereafter transferred to this court. They also submitted that in this Covid-19 situation there is no probability of commencement of trial immediately. They further submitted that other 4 accused persons are still absconding. Investigation completed. So, there is no justification to detain these accused persons further. So, they prayed bail.

On the other hand, Ld. P.P together with ld. Advocate for the defacto complainant vehemently opposed the bail application. They contended that this is a case of brutal murder of a police personnel in a broad day light. So, they prayed for rejection of the bail applications.

Perused the bail applications and materials on record. This is a case u/s 302/34 / 120B/174(A) I.P.C. Prosecution case as appeared from the F.I.R that the accused persons murdered the victim who was a police personnel in a broad day light. Police investigated the case and submitted charge sheet against 8 accused persons u/s 302/34 /120B/174(A) I.P.C. During investigation police arrested these 4 accused persons. Remaining 4 accused persons are still absconding.

Considering the gravity of the offences and other circumstances of his case, at this stage I am not inclined to grant bail in favour of the accused persons.

Hence, the prayer for bail of the above 4 accused persons who are in custody are rejected.

Issue fresh warrant against the absconding accused persons.

Fix **26-08-21** for production and E.R of W/A.

Dictated & corrected

Sd/- S.K.Das

Addl. Sessions Judge ,

3rd Court,Cooch Behar

WB00607

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3rd Court, Cooch Behar

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