

Order No. 08
Dated 22.11.2022

Today is fixed for production of the accused from J/C and hearing of bail application. Accused Sailendra @ Tenzing Dukpa @ Tshring Dukpa @ Hemnath Dukpa is produced from J/C. He is taken to custody and again remanded to J/C till 01.12.2022.

One bail petition has been filed on behalf of the above named accused person. The copy of the petition has been served upon the Ld. P.P. in Charge. The Ld. Advocate for the accused persons has prayed for the bail and submitted that accused is in custody since 03.07.2022 and now when the trial is about to begin, he may be released on bail as the nature of allegation against him is not such that he shall face trial by remaining in custody.

The Ld. P.P. in Charge raised objection for the bail prayer of the accused person.

I have heard the rival submissions of both the sides and have gone through the C.D of the case. On perusal of the statement of the victim u/s 164 Cr.P.C and other materials on record, I am of the view that he can be enlarged on bail as the nature of allegation which the victim has brought against him surely does not justify keeping the accused in custody for the entire trial. Nothing has been found from the C.D that accused ever tried to evade the process of law and no such apprehension has been raised by the Ld. P.P. in Charge.

Accordingly, accused viz; Sailendra @ Tenzing Dukpa @ Tshring Dukpa @ Hemnath Dukpa may find bail of Rs. 5000/- (Rupees Five Thousand) only with two sureties of Rs. 2,500/- (Rupees Two Thousand Five Hundred) each to the satisfaction of Ld.Chief Judicial Magistrate, Darjeeling on condition that he shall appear before the Court on all the dates as would be fixed for hearing of the case.

If on bail to date for appearance.

Return C.D.

Dicttd & Corttd by me

Addl. Sessions Judge,
1st Court, Darjeeling.

(Anuruddha Maity)
Addl. Sessions Judge, 1st Court,
Darjeeling

Memo No.

Dated: 22.11.2022

Copy forwarded to : The Ld. Chief Judicial Magistrate, Darjeeling.

Addl. Sessions Judge, 1st Court, Dlg.
Darjeeling.

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
1ST COURT, DARJEELING.**

Present: Shri Anuruddha Maity,
Additinal Sessions Judge,
1st Court, Darjeeling.

Sess Case No. 14 of 22(Reg. 10 /22)

State.....vs.....Jiru Bir Rai....Accused person

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2) The O.C. Jorebungalow P.S. It relates to Jorebungalow P.S
Case No. 21 of 1992 dated 12.05.1992 corresponding with G.R. Case No. 147 of 1992
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