

Sessions Case No. 4 of 2025
CNR No : WBDJ070000162025
JO CODE : WB01239

Present : Sri Saket Kumar Jha, District & Sessions Judge, Kalimpong

Order no. 5, Dated : 23.04.2025

Accused Abdul Kayyum has been produced from judicial custody. Ld. P.P. and Ld. defence counsel both are present. A petition has been filed on behalf of the accused Abdul Kayyum praying for releasing him on bail.

Ld. counsel of the accused has submitted that the accused was arrested on 12.10.2023 and since then he is in judicial custody. The petitioner is innocent and has been falsely implicated in this case. The alleged amount which is said to have been extorted from the deceased had not been transferred to the bank account of the accused and there is delay of one month in lodging of F.I.R. also. The investigation of the case has already been completed and therefore, a prayer has been made for enlarging the accused on bail.

Ld. P.P. has opposed the prayer for bail of the accused and submitted that this accused along with eight other accused persons had committed the offences as alleged and they had recorded the nude video of the deceased and thereafter, they had started blackmailing him and even forced him to transfer some amounts of money and thereafter due to blackmailing by the accused persons including this accused the said victim had committed suicide. Out of the total nine accused persons only the present accused has been arrested and the rest eight accused persons are still absconding. The bail petition of this accused has been rejected by the Hon'ble Supreme Court also. Accordingly a prayer has been made for rejecting the bail prayer of the accused.

Considering the facts and circumstances and taking into account the allegations levelled against the accused as well as the fact that his bail prayer had been rejected by the Hon'ble Supreme Court of India vide order dated 31.01.2025 passed in SLP (Crl.) no. 12029/2024, therefore, in my opinion, this is not a fit case for granting bail to the accused at this stage and consequently his bail prayer is rejected.

Today is fixed for framing of charges against the accused, however, a petition praying for adjournment has been filed on behalf of the accused stating therein that the accused intends to file a discharge petition for which sometime is required.

Copy of the petition has been served on the Ld. P.P. who has not raised any objection.

Prayer for adjournment is considered and allowed but as a last chance.

To 20.05.2025 for framing of charges against the accused. Accused be produced from J/C on that day.

Dictated & Corrected

Sd/-
Sessions Judge,
Kalimpong

Sd/-
Sessions Judge,
Kalimpong