

Order no. 01
dt. 31.07.2024

Today is fixed for production of custody accused persons and consideration of charge.

Custody accused persons, Rakhal Mura, Basanta Mal, Amal Kumar Barman, Ajit Mal and Sukamal Bhunia are produced from the J/C and be remanded to J/C till the next date.

Accused persons Ranjit Kumar Bhunia and Nemai Mondal on C.B are present by filing hajira. Ld. Advocate for the custody accused file hajira in separate sets.

The record is taken up for consideration of charge. Perused the C.R and the C.D. Heard the submission of both the parties. Considered. It appears that there is prima-facie materials for framing charges against the accused persons U/Secs. 148/149/447/450/323/302 of I.P.C.

Accordingly, charges U/Sec. 148/149/447/450/323/302 of I.P.C. is framed against the aforesaid accused persons. Charges are read-over and explained to the accused persons in Bengali to which they have pleaded not guilty by saying "Nirdosh" and claimed to be tried. Charge with six heads in proper format is prepared in separate sheet. The same be kept with the record.

To 12.09.2024 for evidence of D/C.

Dictated and corrected :

A.S.J.F.T.C.-II, Contai.

A.S.J. F.T.C.-II, Contai.

Later :

Today, two bail petitions filed on behalf of three accused persons, namely, Amal Barman and Sukamal Bhunia and Rakhal Mura,

The petitions for bail are taken up hearing.

Ld. Advocates for the accused persons, namely, Rakhal Mura, Amal Barman and Sukamal Bhunia submitted that the accused persons are innocent and they are in custody since long. The said accused persons are not at all involved in the offence. Therefore, they prayed for enlarging the said accused persons on bail by imposing any condition. Hence, they prayed for bail.

Ld. Advocate for the de-facto complainant submitted that bail application of the said accused persons had been rejected by the Hon'ble High Court, Calcutta and the defacto complainant had moved the Hon'ble Supreme Court against bail granted to two accused persons. He also pointed out the fact that the defacto complainant and her children are out of their house and not been able to live therein.

The Ld. P.P. in charge has raised vehement objection against the bail petition filed on behalf of the said accused persons. He further pointed out that the Hon'ble High Court was pleased to reject the bail application of the accused persons. He

further pointed out that application U/Sec. 439 Cr.P.C is pending in the Hon'ble High Court and eleven accused persons have absconded.

C.D is produced.

Heard all the Ld. Advocates in favour of the accused person and the Ld. Advocate for the defacto complainant the Ld. P.P.-in-charge and perused materials on record and C.D.

Considering the nature and gravity of the offence and the incriminating materials in the case record and the C.D against the said accused persons and also considering the fact that the accused persons may abscond and thereby delay of fair trial of this case would be there, the bail application of the accused persons is rejected.

C.D be returned.

Fix 12.09.2024 for evidence of defacto-complainant and production five accused persons from J/C and appearance of other accused persons.

Accused persons be sent to the J/C to till date.

D/C by me :

A.S.J.F.T.C.-II, Contai.

Additional Sessions Judge, F.T.C.-II,
Contai, Purba Medinipur.