

S.C 559 of 2023

Present :: Shri Ajayendra Nath Bhattacharya
Additional Sessions Judge, 1st Court, Contai.
J.O. Code WB00819

Order No.07 dated 16.09.2023

Accused Biswajit Pal is produced before this Court from J/C and remanded to J/C till the next date.

Ld. Special PP is present.

De facto complainant is also present along with her Ld. Advocate.

A bail application is filed on behalf of the accused Biswajit Pal.

The said application is taken up for hearing.

Ld. Advocate for the accused submits that the accused is totally innocent and he has been falsely implicated in this case on the ground of grudge between him and the owner of Karate Academy in question. It is further submitted that there has been many trainees of the said academy present in the hotel room in question on the relevant point of time and as such it is not possible for the accused to commit any misconduct with the victim of this case in presence of such huge numbers of persons. Ld. Advocate for the accused also submitted that the accused is a young boy of only 19 years and has bright future in prospect. It is also submitted that the mother of the accused person is seriously ill. Accordingly, Ld. Advocate for the accused person prays for release of the accused on bail.

Ld Special PP raises strong objection and submits that there is sufficient materials on record and in the C.D. which indicates the direct involvement and commission of crime by the accused person.

Ld. Advocate for the de facto complainant also submits that the de facto complainant has a strong objection regarding the bail of the accused person and it is also submitted that release of the accused person at this stage may cause inconvenience to the de facto complainant in cooperating with the police in the investigation of this case.

Perused the C.D. and the other materials.

On perusal of the C.D. and the case record, I find that that the investigation of this case is at a very tender stage. However, the materials collected during the investigation clearly goes to show that prima facie there is an involvement of the accused person in the alleged crime. Considering the nature and gravity of the offence and the stage of investigation, I am not inclined to release the accused on bail at this stage. Prayer for bail is rejected.

To **29-09-2023** for production of the accused from J/C and the I.O's report.

Return the C.D..

Sd/-
Additional Sessions Judge,
1st Court, Contai.

