

ST(P) 09 (08) / 2023
Special (P.O.C.S.O.) 11 / 2023
(C.N.R. - WBHG05-000563-2023)
Present: Smt. Ratna Roy
(J.O. Code : WB00914)

Order no. 21 dated 05.08.2025

The accused Saddam Hossain @ Saddam Hossaion Mallick is produced from correctional home.

Today is fixed for hearing of the bail application on behalf of the accused Saddam Hossain @ Saddam Hossaion Mallick.

Ld. Special P.P.-in-charge and Ld. Defence Counsel are present.

De-facto complainant did not appear.

Heard both sides over the bail petition.

Ld. Defence Counsel submitted that the accused is in custody since 16.04.2023. The accused had applied before the Hon'ble Court for bail. The Hon'ble Court refused the bail application with direction that the trial of the case should be expedited to the fullest extent possible and conclude the trial within 8 months from the next date fixed for recording evidence. The next date fixed for evidence was 14.01.2025. Already 8 months is over but the trial of the case has not been concluded, still 9 witnesses are left to be examined. So, there is no immediate chance of conclusion of the trial at the earliest. He thus prays for bail of the accused under any condition.

Ld. Special P.P.-in-charge opposed the bail prayer stating that there is no direction of the Hon'ble Court that the accused shall be granted bail, if trial is not concluded within the time framed fixed by the Hon'ble Court. That there is no delay on the part of the prosecution in bringing witnesses on each date fixed and that the witnesses are being examined by the prosecution.

Considered submissions of both the sides. Perused the materials on record and the evidences.

I find that the Hon'ble Court has refused bail to the accused after the evidence of the victim girl. There is no direction of the Hon'ble Court in the regard that if the trial is not concluded within the time frame, the accused shall be released on bail. Considering the same and the evidences of the prosecution witnesses, I do not find it to be a fit case to grant bail to the accused. Hence, the bail prayer stands rejected.

D/C by me.

SD/-

(Smt. Ratna Roy)

Judge, Special Court-cum-
Additional Sessions Judge,
1st Court, Serampore,

SD/-

(Smt. Ratna Roy)

Judge, Special Court-cum-
Additional Sessions Judge,
1st Court, Serampore