

Sessions Case (SPL) 76 of 2023

Order No. 12

Dated : 22.01.2024

Today the accused Ashok Shaw is not produced from J/C as per the previous direction of this court. A message has been received in this behalf from the Superintendent, Hooghly District Correctional Home stating therein the reason for which he was not produced. Let the message be kept with the record

The record goes to show that today is fixed for hearing of the bail application of this accused Ashok Shaw.

Accordingly, his bail application is taken up for consideration in the presence of both sides.

Heard both sides.

During hearing, the Ld. Advocate appearing for him submitted that the accused at this stage prays for his bail for two dual reasons. One being the reason of his long period of custody since 17.09.2023 and another ground being that the charge-sheet has been submitted. By making the above submission the Ld. Advocate prays for his bail at any terms and condition.

Ld. P.P raised objection against his prayer for bail citing the reason of the nature of the case against him.

After having heard both sides, I perused the case record and I find that is FIR named and the charge-sheet has been submitted against him u/s 376 (2) (1) and 376 (3) of IPC as well as u/s 6 of the POCSO Act. While perusing and considering the nature of the alleged offence against the accused/petitioner I have carefully perused the statement of the victim girl as got recorded u/s 164 of Cr.P.C and after careful consideration of the same I am of the view that his prayer for bail should not be allowed and he is to face custody trial.

Accordingly, his prayer for bail is rejected.

Copy to be served upon him in terms of Section 207 of Cr.P.C is said to be ready for supply.

Accused be produced on 31.01.2024 for which the copy of the case be supplied to him in terms of Section 207 of Cr.P.C and at the same time the charge against him shall be considered and to be framed.

Let a copy of this order be sent to the Superintendent of District Correctional Home Hooghly for his information with a direction that he would ensure the production of the accused above named before this court on 31.01.2024.

D & C by me,

Sd/-

Additional Sessions Judge
Chandernagore

Sd/-

Additional Sessions Judge
Chandernagore