

S.T. No. 235 of 2024
CNR No. WBHW0100 4446 2024
Present: Sonia Majumdar
Sessions Judge, Howrah.
J.O. Code – WB01128

Order No.02 dated 03.10.2024.

Today is fixed for production of the accused persons namely, 1] Biswajit Dutta and 2] Sumona Dey.

Accused persons namely, 1] Biswajit Dutta and 2] Sumona Dey are produced from J/C, they are taken into custody and remanded to J/C till 07.11.2024.

Two separate bail petitions along with separate Vakalatnama are filed and moved by the learned Advocates for the accused persons namely, 1] Biswajit Dutta and 2] Sumona Dey.

Heard Ld. Lawyer for the accused persons who submits that the accused persons are in custody since 09.06.2024 and are innocent and have falsely been implicated in this case and thus prays for grant of bail.

Ld. Public Prosecutor raises strong objection by submitting that it is a case u/S.302/120B/34 of I.P.C. and is rarest of the rare case where both the accused persons allegedly murdered the victim (grandmother of accused No.1) as reflected from the materials in the C.D.

Perused the materials in the case diary and L.C.R. Considered.

On consideration of the same I find that in the heading of the charge-sheet as well as in the last but one paragraph the I.O has clearly stated that prima facie charge under Sections 302/120B/34 of I.P.C has been established against the accused persons namely, 1] Biswajit Dutta and 2] Sumona Dey. Considered the materials in the C.D. and L.C.R. including the statement recorded u/S.161 and 164 of Cr.P.C., inquest report, seizure-list and especially the P.M. report, which show strong incriminating materials against the accused persons. This is a fit case for custody trial.

Considering the nature and gravity of the offence and materials in the C.D. and L.C.R., I am not inclined to allow the prayer for bail of the accused persons.

Accordingly, the prayer for bail of the accused persons namely, 1] Biswajit Dutta and 2] Sumona Dey is considered and rejected.

At this stage, the case record be transferred to the Court of Ld. Additional Sessions Judge, 1st Court, Howrah for trial.

Fix 07.11.2024 for production of the accused persons before the Ld. Transferee Court.

Dictated & corrected by me

S. J.

Sessions Judge, Howrah