

S.T Case No 235 of 2024
CNR No. WBHW01-004446-2024
Present : Sri Plaban Mukherjee (J.O Code : WB01427)

Order No.13.
Dated : 05.06.2025

Today, the date is fixed for for physical production of the accused persons and evidence.

Both the accused persons are produced from the Judicial Custody. They are taken into custody and remanded to J.C till the next date.

Ld. PP-in-Charge is present with the C.D.

Ld. Advocate for the accused person is present.

Now, the case record is taken up for evidence.

No witness turns up today.

On perusal of the case record, it transpires that P.W-1 has been cross-examined in full on 20.03.2025 and since then, almost four dates i.e. on 23.04.2025, 24.04.2025, 04.06.2025 and 05.06.2025 have elapsed, but no witness turns up.

At this stage, Ld. PP-in-Charge submits that he has issued summons upon the witnesses, but in spite of receiving of summons, the witnesses are not turning up before this Court to adduce their evidence.

Considering the above facts and circumstances of this case including the submission of the Ld. PP-in-Charge, the Inspector-in-Charge/ Officer-in-Charge of Nischinda Police Station is directed to ensure the presence of the witnesses on the next date positively.

Let a copy of this order be sent to the Inspector-in-Charge/ Officer-in-Charge of Nischinda Police Station for information and compliance.

At this stage, one bail petition is filed on behalf of the accused person, namely, Sumana Dey. Copy served.

Now, the bail petition is taken up for hearing.

Ld. Advocate representing the accused person submitted that the accused/petitioner has been falsely implicated in this case and she has no manner of involvement or complicity with this alleged offence. He further submits that the accused petitioner is in custody since 09.06.2024. He also submitted that the accused person has neither filed any bail application before the Hon'ble High Court nor any such bail application is rejected by the Hon'ble High Court u/s 483 BNSS.

Ld. PP-in-Charge raised vehement objection against the petition of bail and submitted that there are serious incriminating materials against the accused / petitioner in this case.

Contd.....

S.T Case No 235 of 2024

[Continuing order dated 05.06.2025]

Perused the bail petition, the case record and C.D and comparing the same with the statements of witness, it appears that in this case, charge has been framed u/s 302/120B/34 IPC against the accused person and till date, the evidence of P.W-1 has been concluded.

It further appears that P.W-1, being the de facto complainant of this case, has turned hostile, but there are sufficient incriminating materials against the present accused person in the case diary. Moreover, on perusal of the case record, it transpires that on 22.05.2026, prayer of the bail of the present accused petitioner has already been rejected by this Court and since then, no further development has taken place.

Considering the above facts and circumstances and the nature of allegation, I am not inclined to enlarge the accused/ petitioner on bail at this stage.

Hence, the prayer for bail stands rejected.

Return C.D.

Fix 05.07.2025 for physical production and evidence of C.S.W-2, namely, Srijit Dutta and C.S.W-5, namely, Swapan Chatterjee.

Prosecution is directed to issue summons.

Dictated & Corrected by me.

A.S.J, 1st Court, Howrah.

Additional Session Judge,
1st Court, Howrah.