

Order No. 109 dt.01.12.17.

Today is fixed for production of three accused persons namely Biswajit Majhi, Subhankar Das and Bulbul Halder and appearance of the accused Debasis Dey on court.

Three accused persons are produced from Howrah District Correctional Home and they are remanded to J/C till 04.12.17.

Accused Debasis Dey is present before the court by filing hazira.

No witness is present. Ld Spl PP files an adjournment petition.

A bail petition is filed on behalf of the accused Bulbul Halder.

Copy served.

The record is taken up for hearing. Ld Spl PP submits that today one doctor witness could not be able to turn up before the court due to his emergency operation duty in the hospital. He prays for an adjournment for this date.

Ld defence counsel prays for passing necessary order.

Considered. The prayer for adjournment is allowed.

Now, the bail petition is taken up for hearing.

Hd. both sides.

Ld Advocate for the accused submits that the accused is in J/C since long and the trial of this case has come almost to the fag end. He prays for bail of the accused person.

Ld Spl PP Mr Naba Kumar Ghosh strongly objects the prayer for bail stating that this is a serious case and the state prosecution apprehends that the accused would abscond and will try to tamper the evidence if he be enlarged on bail. He prays for rejecting the bail prayer.

Perused the materials on record. It appears to me that in this case charge had been framed u/s 302, 307/120B of the IPC, u/s 3 of ES Act read with section 120B of the IPC and further separate charge u/s 4 of the ES Act had been framed against this particular accused Bulbul Halder.

It appears to me that the trial of this case is going on and there is sufficient ground for apprehension that the accused may abscond or tamper evidence if he be released on bail.

Considering facts and circumstances of this case as well as considering materials on record, I am not inclined to enlarge the accused Bulbul Halder on bail.

Accordingly, the prayer for bail is rejected.

Thus, the bail petition is disposed of.

To date (04.12.17) for production of three accused persons, appearance of accused on bail and evidence.

Dictated & corrected by me.

ASJ

Addl. Sessions Judge,  
2nd Court, Howrah.

