

Order No. 113 dt.12.12.17.

Today is fixed for hearing on the bail application dt 6.12.17 filed in respect of Biswajit Majhi.

Ld advocates for the accused person namely Biswajit Majhi is present before the court. Ld Spl PP is present before the court.

Now the record is taken up for hearing on the bail application.

Hd both sides. Ld advocate for the accused Biswajit Majhi submits that the accused is in custody since long and the state prosecution has examined almost 16 witnesses and there are so many witnesses are remaining for examination. He submits that the chance of early disposal of this case is remote. He prays for bail of accused Biswajit Majhi.

Ld Spl PP submits that this is a long pending case but the charge of this was framed on 05/4/14. he submits that there is some history for delaying disposal of this case. He submits that the state prosecution has tried its best to examine all the intended witnesses within the short period but the examination of witnesses has been lingered due to the long cross examinations of the witnesses by the defence counsels. He submits that no fresh ground has been arisen for favouring the accused person by an order of bail. He prays for rejecting the bail application.

Perused the materials on record. It appears to me that in this case the state prosecution has examined all total 16 witnesses and charge against the accused person has been framed u/s 302, 307/120B of the IPC and u/s 3 of the ES Act read with section 120B of the IPC as well as u/s 4 of the ES Act.

Considering the facts and circumstances of this case as well as the considering the materials on record, I am not inclined to enlarge the accused person on bail. Accordingly, the prayer of bail application dated 06.12.17 is rejected.

To date (23.2.18) for evidence.

Dictated & corrected by me.

ASJ

Addl. Sessions Judge,
2nd Court, Howrah.