

S.T. No.3(12) of 2022
S.C. 16 of 2022
CNR No. WBHW060000072022
Present : Mr. Mintu Mallick, Additional Dist. & Sessions Judge, Amta, Howrah
(J.O. Code : WB00694)

Order No. 31 dated 06.09.2023

Accused Debasish Nayek is not produced today. The rest four accused persons in J/C are produced. Accused Manoj Singh on Court bail is present before this Court.

Report submitted by the Superintendent, Presidency Correctional Home, Alipore, Kolkata, as to the health condition of the accused Debasish Nayek indicating therein that the said accused has been discharged from S.S.K.M. Hospital, Kolkata be kept with the record.

The bail application filed on behalf of three accused persons namely Debasish Nayek, Abdul Alim Molla @ Laltu and Prem Singh are taken up for hearing.

Heard both sides at length. Perused the materials on record.

It is detected that this is a case U/S 302/201/212/34 I.P.C.

The evidence of defacto complainant being P.W. 1 is being recorded in Course of trial and yet to be concluded. It is further detected that on earlier occasion the bail application of accused Debasish Nayek was turned down by the Hon'ble High Court in C.R.M. (D.B) 4019 of 2022 wherein the Hon'ble High Court has inter alia directed this Court to conclude the trial with utmost expedition.

The report in final form indicating the involvement of the accused persons for committing the offence as U/S 302/201/212/34 I.P.C. appears to be well founded. It is further detected that the bail application of accused Prem Singh @ Sonu was turned down by the Hon'ble High Court in C.R.M. (DB) 3744 of 2022 on 04.11.2022. The submission of the Ld. Advocate appearing for the three accused persons that they have their family members within the territorial jurisdiction of this Court and one accused person is on Court bail, may not *ipso-facto* be a ground for granting bail.

In the facts and circumstances, this Court does not find any reason to allow the bail applications of these 3 (Three) accused persons.

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Accordingly, the prayer for bail for all the 3 (Three) accused persons namely Debasish Nayek, Abdul Alim Molla @ Laltu and Prem Singh @ Sonu stands rejected. The accused persons are remanded to J/C and produced before the Court on the dates fixed. Rest accused namely Manoj Singh is as before.

Fixing **12.09.2023** for further cross-examination of P.W. 1, Buddhadeb Mondal.

Fixing **25.09.2023** for evidence of C.S.W. 5 & C.S.W. 6.

Prosecution to take steps accordingly.

Dictated & corrected by me

Additional Sessions Judge,
Amta, Howrah

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