

Order No. 05 dated 20.04.2023

Today is fixed for production and appointment of Ld. P.P.-in-charge. Sole accused person namely; Monoranjan Dorjee is produced from J/C. One application for bail coupled with one fresh Vakalatnama, duly accepted by Ld. Lawyer for the accused person, is filed. The application for bail is also backed by one affidavit.

The prayer for bail is taken-up for consideration.

It is submitted that the accused person is in J/C since the very inception of initiation of this case. It is also submitted that no prayer for bail was ever rejected by any Superior Court of Law nor any such application is pending. Accordingly, Ld. Lawyer appearing for the accused person prays for bail on any condition, whatsoever.

Ld. P.P.-in-charge leaves the matter to the discretion of this Court.

Being an inquirer of this proceeding this Court has travelled through the entire materials on record. In this case charge sheet has been submitted alleging an offence under Section 498A/324/307/506 I.P.C. The Injury report of the victim does not speak for any deadly injury on any vital part of the person of the victim though the nature of the offence used as alleged was a sharp cutting weapon. Be that as it may, considering the period of detention of the accused person and the fact that the investigation has already been culminated in the submission of charge sheet coupled with the injury as transpires from the Injury report, this Court does not find that this is a fit case where custody trial is required.

In view of the above facts and circumstances, this Court is of the opinion that further detention of the accused behind the bar would be punitive which the Law vetoes. **Accordingly, the prayer for bail stands allowed. The accused person namely; Monoranjan Dorjee, may find an interim bail of Rs. 2,000/- (Rupees Two Thousand only) with two registered Sureties of Rs. 1000/- (Rupees One Thousand Only) each, and on condition to remain present before this Court on each and every date of this proceeding, failing which cancellation of this Order would be inevitable to be followed by issuance of W/A against him.**

The bail bond, if submitted, shall be subject to the satisfaction of the Ld. Judicial Magistrate, Amta, Howrah,

If on bail, to 07.06.2023 for appearance and consideration of charge, otherwise the accused to be produced on that date for consideration of charge.

Let a copy of this Order be forwarded to the Ld. Judicial Magistrate, Amta, Howrah, for information and necessary action.

Dictated & corrected by me

Additional Sessions Judge,
Amta, Howrah
(J.O. Code : WB00883)

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Amta, Howrah
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