

Sessions Case No149/2019
Sessions Trial No. 05 (04)25

Order No. 1 Dated 09.4.2025 :

Accd Swapan Ghosh is produced from JC.

Ld. P.P. -in-charge and Ld. Defence Counsel are present .

Today is fixed for consideration of charge. Hd Ld. P.P -in-charge and Ld. Defence lawyer.

Perused the materials on record. After hearing the parties and after considering the Charge Sheet and other materials on record I am of the opinion that there is a ground for presuming that accd has committed offence punishable u/s 399/402 of I.P.C and these offences are exclusively triable by the court of sessions. Accordingly charges are framed against the aforesaid accd. for the offence punishable u/s 399/402 IPC in separate sheet. The substance of charge is read over and explained to the accd in Bengali and after hearing the contents of charge the accd has pleaded not guilty by saying “Ami Nirdoshi” and claimed to be tried.

To 23.04.25 for examination of CSW 1.

Prosecution to take steps for issuing summons upon the aforesaid witnesses.

Today is also fixed for hearing of the bail petition filed by the accused Swapan Ghosh.

Ld. Defence Counsel moves the bail application stating that the accused will appear on each and every date. So, his bail prayer may be considered.

Ld. P.P has raised strong objection.

Order sheets reflect that the accused had remained absent for almost three(3) years and W/A had to be issued against him to procure his attendance during trial.

Considering the previous conduct of the accused, I think that releasing him on bail will cause delay in trial particularly when charge is framed today and the next date is fixed for evidence.

D/C by me

Addl. Sessions Judge,
1st Court, Jalpaiguri.

