

S.T. No. 05(02)2024
S.C. No. 120 of 2023
GR. No. 755 of 2023

CNR no-WBBK090003922023
J.O. Code No. WB00638

State Vs. Gopal Chandra Das @ Jana

In connection with Sarenga P.S. Case No. 64 of 2023, dated 18-09-2023
Under Sections 364/302/34 of the IPC.

Order No. 17

Dated: 05-03-2025

Today is fixed for hearing of the petition, dated 15-02-2025 filed on behalf of the accused/ petitioner namely **Gopal Chandra Das @ Jana.**

Ld. Advocate for the accused moves the instant petition.

Ld. P.P.-in-charge is present before the Court.

It is submitted on behalf of the accused that previously no prayer for bail of the accused was rejected by the Hon'ble Court.

It is also submitted that at present no prayer for bail of the accused is pending before the Hon'ble Court or any other higher forum.

It is submitted that the accused has been falsely implicated with this case by the de facto complainant.

It is advanced that the accused is in custody since 18-09-2023.

It is submitted that lastly on 17-01-2024 the prayer of the accused was rejected by this Court and on 28-02-2024 charge was framed against the accused and only two witnesses are examined and there is substantial change in circumstances.

It is advanced that the defacto complainant is examined as PW-1 and his evidence differs from his statement before the IO. It is advanced that none of the witnesses could say the place lastly seen the victim.

It is further advanced that the body of the victim is not found till date. It is also submitted that the defacto complainant deviates from his deposition before this Court.

In view of the above submission, Ld. Advocate for the accused submits that considering the period of detention the accused should be enlarged on bail in any term and condition.

On the other hand, the Ld. P.P. in charge raises vehement objection against the prayer for bail of the accused submitted inter alia that the allegation against the accused is direct and there are huge incriminating materials in the CD against the accused.

Contd....P/2

(2)

Ld. P.P. in charge advances that the dead body of the victim could not be recovered till date. It is further submitted that the statements of the witnesses Under Section 161 Cr. P.C. and those Under Section 164 of the Cr. P.C. categorically reflect the involvement of the accused with the incident of the case.

Ld. P.P.-in-charge also submits tat the accused practically has confessed his guilt and there is none except the accused persons of the case are responsible for the commission of the painful offence of this case.

Ld. P.P. in charge emphatically advances that the accused is directly involved in this case and the examination of the prosecution witnesses is going on. It is also submitted this accused is not a resident of this District and he is a man other District of West Bengal and if he gets bail, he will evade the Court and trial will be hampered.

In view of the above submission Ld. P.P. in charge strongly submits that considering the materials in the C.D. and practical situation, the prayer for bail of the accused should be rejected.

On perusal of the record, it is seen that the allegation against the accused is direct and very serious in nature. The statements Under Section Under Section 161 and 164 of the Cr. P.C. of the witnesses provide direct incriminating materials against the accused.

It is very painful that the dead body of the victim is not yet recovered till date and it is a very peculiar situation.

On perusal of the case record it is seen that there are so many direct incriminating materials against the accused and trial is going on.

Therefore, considering the facts and circumstances of the case, materials in the CD including the statements recorded Under Section 161 and 164 of the Cr. P.C. of the witnesses, injury report, submission of the respective parties, nature and gravity of the alleged offence and at the same time taking into account the present position of the case, the prayer for bail of the accused **Gopal Chandra Das @ Jana** stands rejected.

The instant petition, dated 15-02-2025 is accordingly disposed of.

To date for production of the accused and evidence of the prosecution.

Dictated and Corrected by me

A.S.J
Khatra, Bankura

Additional Sessions Judge,
Khatra, Dist.- Bankura
J.O. Code WB00638

T.A. 1 OF 2023
CNR no-WBBK090000292023
J.O. Code No. WB00638

Later Order
Dated: 11-09-2024

Special Case. No. 08/2022
CNR no-WBBK0900008302022

State Vs. Durga @ Prasenjit Hembram

In connection with Taldangra P.S. Case No. 14 of 2022, dated 14-03-2022 Under Section 376(2)(n) of the I.P.C. and Under Section 6 of the POCSO Act.

Order No. 40
Dated: 20-09-2024

Today is fixed for hearing of the petition praying for bail, dated 18-09-2024 filed on behalf of the accused person namely **Durga @ Prasenjit Hembram**.

Ld. Advocate for the accused moves the instant petition.
Ld. Special P.P. is present before the Court.

Heard both sides.
Considered.

Perused the instant petition and materials in the C.D.

It is submitted on behalf of the parties that no application for bail of the accused person was rejected by the Hon'ble High Court, Calcutta or by any other higher Court.

It is also submitted that no application for bail of the accused person is pending before the Hon'ble High Court or before any other Higher Court.

It is submitted that the accused is in custody since 19-03-2022 and a number of witnesses have been examined on behalf of the prosecution. It is also submitted that there is no incriminating material in the evidence of the prosecution against the accused person.

It is further submitted that 10 witnesses have been examined out of 20 charge sheeted witnesses and considering the approximate time which will be required for completion of recording of evidence and the accused should be enlarged on bail in any term and condition.

It is advanced that there is no chance of tampering evidence and hampering investigation and the accused is ready to face trial and he will not free from justice and in view of that, the accused should be enlarged on bail in any term and condition.

On the other hand Ld. Special P.P raises vehement objection against the prayer for bail of the accused submitting inter alia that the allegation is very serious and heinous in nature.

It is advanced that only the 50 per cent of the witnesses have been examined and there are incriminating materials in the evidence of the witnesses against the accused.

Learned Special P.P. emphatically submits that the statement of the Under Section 164 of Cr. P.C. and the medical report speak a lot against the accused.

It is alleged that the victim was under 17 years of age at the time of the incident and on 15-03-2022 she was pregnant for about 180 days.

Contd....Or...P/2

(2)

Ld. Special P.P. further submits that the medical report and other circumstantial evidences, support the commission of the offence against the victim by the accused and in view of the entire situation the prayer for bail of the accused should be rejected.

On perusal of the record, it is seen that the medical report speaks against the accused.

It is also seen that the statement Under Section 164 Cr. P.C. goes against the accused and the allegation in that statement is very clear and direct.

The circumstantial evidence also does not support the accused.

The allegation is direct and serious having social, moral and legal implications in view of the spirit of the POSCO Act, 2012.

Therefore, considering the existing facts and circumstances of the case, material on record, submission of the parties, oral as well as documentary evidence, philosophy behind the enactment of the POSCO Act and ultimately taking into account the far ranging consequences of the allegation, I am not inclined to entertain the instant prayer of the accused.

Hence, the prayer for bail of the accused Durga @ Prasenjit Hembram stands rejected.

The instant petition dated 18-09-2024 praying for bail of the accused is accordingly disposed of.

To 06-01-2025, 10-01-2025, 17-01-2025 and 18-01-2025 for production of the accused and evidence.

Dictated and Corrected by me,

A.S.J
Khatra, Bankura

Additional Sessions Judge,
Khatra, Dist.- Bankura
J.O. Code WB00638

S.T. 22(02)2022
S.C. No. 73 of 2021
GR. 269 of 2021

CNR no-WBBK090001942021
J.O. Code No. WB00638

State Vs. Sunil Murmu @ Hapan Murmu and one another

**In connection with Barikul P.S. Case No. 09 of 2021 dated 07-06-2021 Under
Section 302/201 of the I.P.C. corresponding to GR case no. 269 of 2021. of
2024**

Order No. 43

Dated: 31-08-2024

A petition praying for bail of the accused Animesh Pal has been filed today.

Ld. Advocate for the accused moves the instant petition.

Ld. P.P. In-charge is present before the court.

It is submitted on behalf of the accused that previously the prayer for bail of the accused was rejected by the Hon'ble Court. But at present no prayer for bail of the accused is pending before the Hon'ble Court or any other higher forum.

It is submitted that the accused has been falsely implicated with this case by the de facto complainant.

It is advanced that the detention of the accused in custody is huge. It is also advanced that most of the witnesses are examined in this case and the witnesses did not support the case of the prosecution.

Ld. Advocate for the accused eloquently submits before the Court that the accused is ready to face the entire trial and he is also ready to abide by any condition which may be imposed by this court at the time of granting bail, if there be any at all.

Ld. Advocate ultimately submits that considering the period of detention and nature of oral evidences, the accused should be enlarged on bail in any term and condition.

On the other hand Ld. P.P In-charge raises vehement objection against the prayer for bail of the accused submitting inter alia that the allegation against the accused is very heinous in nature. It is submitted that there is direct allegation against the accused.

Ld. P.P in charge further submits that considering the materials on record, and impact of the evidences, the Hon'ble Court has been pleased to reject the prayer for bail of the accused vide Order No. 134, dated 19-12-2023 in connection with the CRM (DB) of 2023.

It is further submitted that the allegation bears a social and moral implication and in view of the observation of the Hon'ble Court, the prayer for the bail of the accused should be rejected.

On perusal of the record, it is seen that the allegation against the accused is direct and it is very serious and heinous in nature.

On scrutiny of the record it is seen that the Hon'ble Court has been pleased to reject the prayer for bail of the accused after considering the materials on record.

Therefore, considering the facts and circumstances of the case, materials on record, submission of the respective parties, nature and gravity of the alleged offence and at the same time taking into account the fact that Hon'ble Court had been pleased to reject the prayer for bail of the accused on merit, I do not find any ground to entertain the instant prayer for bail of the accused.

In view of the above, the prayer for bail of the accused Animesh Pal stands rejected.

The instant petition is accordingly disposed of.

To 18-12-2024, 20-12-2024 and 23-12-2024 for ER of W/A against CSW

No.15, production of the accused persons in custody and prosecution evidence.

Dictated and Corrected by me

A.S.J
Khatra, Bankura

Additional Sessions Judge,
Khatra, Dist.- Bankura
J.O. Code WB00638

**Session Case No. 34 of 2024
G.R. case No. 26 of 2013
CNR No. WBBK0B90001692024
J/O Code No. WB00638**

State Vs. Manzar Khan & 10 others

In connection with Taldangra P.S. case No. 07 of 2013 dated 13-01-2013 Under Section 147/148/149/323/324/307 of the I.P.C.

Order No. 07
Dated: 04-12-2024

A petition praying for putting up the case record has been filed on behalf of the above stated accused persons namely, **Golam Khan and Mor Habi Khan.**

Copy served.

Ld. Advocate for the accused persons moves the instant petition.

Ld. P.P.-in-charge is present before the Court.

Considering the submission of the parties, the prayer for putting up the case record is allowed as prayed for.

Put up the case record accordingly.

Dictated & Corrected by me,

**Sd/-
A.S.J.
Khatra, Bankura**

**Sd/-
Additional Sessions Judge,
Khatra, Bankura**

Later Order
Dated: 04-12-2024

The accused persons namely **Golam Khan and Mor Habi Khan** surrender before the Court.

They are taken into custody.

Learned Advocate for the accused persons submits inter alia that due to health reasons, the accused persons could not appear before the Court on the previous date.

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(2)

It is submitted that the accused persons are law abiding and they have been suffering from different ailments and so that, they remained absent from the court on the previous dates.

It is submitted that the accused persons have submitted medical papers showing their illness and their absence is not intentional and in future they will be serious in regard to their appearance before the Court and view of this, learned Advocate humbly submits that considering the entire situation, the accused persons should be enlarged on bail in any term and condition.

On the other hand, Ld. P.P. in charge raises objection against the submission of the learned Advocate for the accused persons and ultimately leaves the matter to the discretion of the Court.

Considering the facts and circumstances of the case, materials on record, submission of the respective parties, age of the accused persons and medical papers submitted before the Court and ultimately taking into account, the interest of justice, the accused persons namely Golam Khan and Mor Habi Khan, are enlarged on bail of Rs. 500/- each with one surety of like amount subject to the satisfaction of the Learned A.C.J.M., Khatra.

The accused persons are directed to be present before the Court on each day, henceforth, unless they are not prevented by sufficient cause in view of the Court failing which the bail granted to them shall stand canceled.

The instant petition for bail is accordingly disposed of.

Recall W/A.

Let a copy of this order be forwarded to the Court of Learned A.C.J.M., Khatra for information and necessary Action.

Todate for appearance of the accused persons and framing of charge.

Accused persons on Court bail must be present before the Court on the date fixed.

Dictated & Corrected by me,

**Sd/-
A.S.J.
Khatra, Bankura**

**Sd/-
Additional Sessions Judge,
Khatra, Bankura**

Memo No.

Dated, Khatra, the 4th day of December, 2024.

Copy forwarded to:

**The Learned A.C.J.M., Khatra, Bankura for
necessary action.**

**Additional Sessions Judge,
Khatra, Bankura**

S.T. 22(02)2022
S.C. No. 73 of 2021
GR. 269 of 2021

CNR no-WBBK090001942021
J.O. Code No. WB00638

State Vs. Sunil Murmu @ Hapan Murmu and one another

**In connection with Barikul P.S. Case No. 09 of 2021 dated 07-06-2021 Under
Section 302/201 of the I.P.C. corresponding to GR case no. 269 of 2021. of
2024**

Order No. 43
Dated: 31-08-2024

A petition praying for bail of the accused Animesh Pal has been filed today.

Ld. Advocate for the accused moves the instant petition.

Ld. P.P. In-charge is present before the court.

It is submitted on behalf of the accused that previously the prayer for bail of the accused was rejected by the Hon'ble Court. But at present no prayer for bail of the accused is pending before the Hon'ble Court or any other higher forum.

It is submitted that the accused has been falsely implicated with this case by the de facto complainant.

It is advanced that the detention of the accused in custody is huge. It is also advanced that most of the witnesses are examined in this case and the witnesses did not support the case of the prosecution.

Ld. Advocate for the accused eloquently submits before the Court that the accused is ready to face the entire trial and he is also ready to abide by any condition which may be imposed by this court at the time of granting bail, if there be any at all.

Ld. Advocate ultimately submits that considering the period of detention and nature of oral evidences, the accused should be enlarged on bail in any term and condition.

On the other hand Ld. P.P In-charge raises vehement objection against the prayer for bail of the accused submitting inter alia that the allegation against the accused is very heinous in nature. It is submitted that there is direct allegation against the accused.

Ld. P.P in charge further submits that considering the materials on record, and impact of the evidences, the Hon'ble Court has been pleased to reject the prayer for bail of the accused vide Order No. 134, dated 19-12-2023 in connection with the CRM (DB) of 2023.

It is further submitted that the allegation bears a social and moral implication and in view of the observation of the Hon'ble Court, the prayer for the bail of the accused should be rejected.

Contd...Or...P/2

(2)

On perusal of the record, it is seen that the allegation against the accused is direct and it is very serious and heinous in nature.

On scrutiny of the record it is seen that the Hon'ble Court has been pleased to reject the prayer for bail of the accused after considering the materials on record.

Therefore, considering the facts and circumstances of the case, materials on record, submission of the respective parties, nature and gravity of the alleged offence and at the same time taking into account the fact that Hon'ble Court had been pleased to reject the prayer for bail of the accused on merit, I do not find any ground to entertain the instant prayer for bail of the accused.

In view of the above, the prayer for bail of the accused Animesh Pal stands rejected.

The instant petition is accordingly disposed of.

To 18-12-2024, 20-12-2024 and 23-12-2024 for ER of W/A against CSW

No.15, production of the accused persons in custody and prosecution evidence.

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A.S.J
Khatra, Bankura

Additional Sessions Judge,
Khatra, Dist.- Bankura
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