

Sessions Case No.173 of 2022
J.O. Code-WB00740

Order No.08

Date:04.03.2024

Today is fixed for evidence.

Both accused persons are produced from J/C.

PW, Minati Minj is present. She is examined as PW-3, cross examined and discharged.

Bail petition filed on behalf of accused Mozibul Islam and Uttam Sutradhar.

Copy served.

Learned P.P. is present.

Heard both sides.

Learned P.P raises objection.

Perused the petition as well as the case record.

It appears from the case record that the accused persons are in custody since 30.05.2022 and 12.05.2022 respectively.

Till date only three witnesses have been examined including the defacto complainant.

The prosecution could not examine the other witnesses and presently I do not find any immediate prospect of conclusion of the trial as the present whereabouts of the victim is not known.

Considering the long detention of the accused persons in custody and the evidence recorded so far I am of the view that their further detention would not serve any purpose save and except detention for the sake of detention.

Hence, I am inclined to grant bail. Each of the accused may find interim bail of Rs.1000/- on condition to appear before this court on each and every date for trial in default the interim bail shall be cancelled.

To 04.04.2024 for evidence of CSW-2 & 4.

D/C by me.

Additional Sessions Judge
3rd (Spl) Court,Jalpaiguri

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