

**S.C. 59 of 2023**

**Order dated 09.01.2026**

The accused Monowar Hossain @ Manowar Hussain is produced from custody.

One application for bail is moved for the accused Monowar Hossain @ Manowar Hussain by the Ld advocate appointed by DLSA Alipurduar.

Ld. P.P. in-charge and Ld. Advocate for the accused are present.

Ld. Advocate for the accused prays for bail on the ground that the accused is innocent. It is further submitted that the accused have permanent hearth within the jurisdiction of the court. It is also submitted that if the accused is enlarged on bail, the accused will appear before this court on each and every date fixed.

Ld. P.P.-in-charge objects to the bail of the accused pointing out the nature of the offense alleged under the Section 304 of I.P.C of causing death of his own brother. It is submitted that the nature of the offense is heinous and the allegation against the accused are grave.

Considered the submission made by both the parties. This court finds that the offense has been alleged under section 304 of I.P.C. of causing death of a person which is indeed heinous in nature. It also appears that the trial has been obfuscated due to the absence of the accused . In such circumstances, the court is not inclined to enlarge the accused on bail.

Hence, the bail prayer of the accused stands rejected.

Fixing 06.03.2026 for production of accused Monowar Hossain @ Manowar Hussain and appearance of other accused and evidence of CSW 2 and 3.

Accused to be produced from D.C.H on date fixed.

Addl. Dist. & Sessions Judge, F.T.C. -1,  
Alipurduar.

J.O. Code W.B. 01009