

Sessions Case No.46/2022

Present :Smt. Papiya Das (J.O.No. WB00736)
Additional Sessions Judge,
Alipurduar.

Order No. 24,
dt.16.10.23.

Accused Bablu Bagchi is produced from J/C.

This day is fixed for production and evidence.

Heard Ld. Defence counsel as well as Ld. P.P.

Ld Advocate for the accused is also present.

No witness is present.

To 20.01.24 for evidence of CSW No. 3 and CSW No. 5,

22.01.24 for evidence of CSW No. 6 and CSW No. 7,

24.01.24 for evidence of CSW No. 8 and CSW No. 9,

25.01.24 for evidence of CSW No. 10 and CSW No. 11,

One bail petition is filed on behalf of the accused Bablu Bagchi praying for bail.

CD is not available today and hearing is done without CD.

Heard Ld Defence counsel as well as Ld Special P P.

Perused the materials on record.

Ld. Defence counsel submits that the accused is not FIR named and he has been arrested in this case on the ground of complicity and the theory of last seen together. He further submits that the accused is in custody since 27.11.21 and suffered detention for a long time. He thus prays for bail on any condition.

Ld. P.P submits that the accused is a 'Tantrik' and he sacrificed the minor victim for his tantrik activities. He further submits that the offence is a heinous one and thus raises strong objection against the bail prayer of the accused.

I have thoroughly and meticulously gone through the materials on record along with the evidence so far adduced by prosecution witnesses. I further find that only three witnesses have been examined in this case out of 15 witnesses cited in the charge sheet and the witnesses have deposed against this accused person. The evidences are sufficient and cogent to go for trial. In my considered view, if the accused be enlarged on bail then there will be every possibility of his absconsion which adversely will affect the prosecution case. Moreover, possibility of tampering evidence and influencing reliable witnesses cannot be ruled out.

Considering the nature of allegation as well as the evidence on record, I am not inclined to enlarge the accused person on bail. Thus his bail is hereby **rejected**.

Todate for production and evidence.

Dict.& corr. by me

Addl. Sessions Judge,
Alipurduar.

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