

SC. 160/13 (CIS 745/14)

Order dated 19.12.2024

Today is fixed for production

Sole accused Binod Kharia produced from DCH.

Ld. Advocate for the accused is present.

Ld. P.P. in-charge is also present.

Ld. Advocate for the accused prays for bail on the ground that the accused is innocent but he is detained in custody. 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 object to the bail of the accused pointing out the nature of the offense alleged under the Section 376 (2) (f) of I.P.C. It is submitted that the nature of the offense is heinous and the allegation against the accused are grave.

Considering the submission made by both the parties this court finds that the offense has been alleged under 376 (2) (f) of I.P.C. which is indeed heinous in nature. It is also found that the accused have been absconding and avoiding the process of the court since 05.08.2022. Thus the accused persons is long absconding and his absence have obfuscated the trial of this record. In such circumstances, the court is not inclined to enlarge the accused on bail.

Hence, the bail prayer of the accused stands rejected.

Fixing 20.01.2025 for evidence of CSW 1, 10 & 15 and production.

Issue summons. DA to comply.

Accused to be produced from D.C.H.

f

Dictated & Corrected by me,

Addl. Dist. & Sessions Judge,
FTC-I, Alipurduar.

Additional Dist. & Sessions Judge,
1st Fast Track Court, Alipurduar.