

SC. 146/12(CIS 309/15)

Order dated 05.06.2025

Record is put up on the prayer of the Ld Advocate for the accused Partha Pratim Chowdhury.

An bail application is filed of the accused Partha Pratim Chowdhury who is in custody.

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

The bail application filed for the accused Partha Pratim Chowdhury is taken up for hearing.

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 302 of I.P.C. It is submitted that the nature of the offense is heinous and the allegation against the accused are grave. It is also submitted that on the previous day the witnesses were present before the court, however, they had to be released without examination since the accused was absent without step. Thus, the trial is being protracted due to the absence of the accused.

Considered the submission made by both the parties. This court finds that the offense alleged is punishable under 302 of I.P.C. which is indeed heinous in nature. Partha Pratim Chowdhury is the sole accused. It is found that primary witnesses of the prosecution have not been examined. Also other charge sheeted witness who incriminated the accused are yet to be examined before the court and enlarging the accused at this stage may vitiate the trial. In such circumstances, the court is not inclined to enlarge the accused on bail.

Hence, the bail prayer of the accused stands rejected.

Fixing to date (18.06.2025) for production and evidence.

Issue summons. DA to comply.

Accused to be produced from D.C.H.

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

Additional Dist. & Sessions Judge,  
1<sup>st</sup> Fast Track Court, Alipurduar.

