

SC. 80/14 (CIS 382/15)

(Ref: Alipurduar PS case No. 284/1997 dated 16.10.1997)

Order dated 16.03.2026

Record is put up on the application filed by the Ld advocate for the accused Kusum Debnath.

The accused Kusum Debnath surrenders before this court and taken into custody.

An application for bail is filed for the accused Kusum Debnath

Ld PP-in-charge and ld advocate for the accused are present.

The bail application of the accused person Kusum Debnath is taken up for hearing.

Ld. Counsel, appearing for the accused Kusum Debnath seeks for bail of the accused person on the following grounds : the accused person have been falsely implicated in this case and the accused person is a permanent resident within jurisdiction of this court and will not abscond and face the trial.

Ld. P.P. in-charge raises objection to the bail of the accused.

Considered the submissions made by both the parties. It appears that on 07.03.2026 the accused Kusum Debnath was absent when the record was fixed for framing of charge. Thus WA was issued against the accused Kusum Debnath. However, the previous demeanor of the accused on every other occasion was satisfactory.

Now it appears that there is no opportunity for imminent closure of trial. The incarceration of the accused without completion of trial will not subserve the cause of justice.

In view of the above discussion this court is inclined to enlarge the accused person Kusum Debnath on interim bail of Rs. 2,000/- with two registered sureties of Rs 1000/- each subject to satisfaction of the Ld. Chief Judicial Magistrate, Alipurduar and on condition to appear before this court on each day fixed failing which the liberty granted shall stand canceled. The Ld. Chief Judicial Magistrate, Alipurduar is directed to transmit the bail bond of sureties to this court immediately after fitting the same in the register.

To date (30.04.2026) for appearance of the accused Kusum Debnath if on bail and ER of WA of rest accused.

Let a copy of this order be forwarded to the Ld. Chief Judicial Magistrate, Alipurduar.

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

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