

SC. 265/19 (CIS 615/19)

(Ref: Samuktala PS case No. 48/2019 dated 21.02.2019)

Order dated 02.06.2026

Today is fixed for production of accused Kishan @ Kishon Lohar

An application for bail is filed for the accused Kishan @ Kishon Lohar

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

The bail application of the accused person Kishan @ Kishon Lohar is taken up for hearing.

Ld. Counsel appearing for the accused Kishan @ Kishon Lohar 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 11.08.2023 the accused Kishan @ Kishon Lohar was absent when the record was fixed for framing of charge. Thus WA was issued against the accused Kishan @ Kishon Lohar . 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 Kishan @ Kishon Lohar on interim bail of Rs. 5,000/- with two registered sureties of Rs 2,500/- 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 (20.08.2026) for appearance of the accused Kishan @ Kishon Lohar if on bail.

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

Sd/-

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

Alipurduar.

J.O. Code W.B. 01009

Office of the Addl. District and Sessions Judge, FTC- I, Alipurduar.

Memo No. dated

Copy forwarded to

1. Ld. Chief Judicial Magistrate, Alipurduar.

Addl. Dist. & Sessions Judge,

F.T.C. -1,

Alipurduar.

J.O. Code W.B. 01009

S.C. 265 of 2019

Contd Order, dated 02.06.2026

Accused Kishan @ Kishon Lohar is produced from DCH, Alipurduar.

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

Record is taken up for framing of charge.

Ld,. P.P. in-charge opens the case by stating over the offence made against the sole accused and submits there are sufficient ground to presume that the accused have committed offence punishable under section 376 (1) IPC.

Accordingly, charge is framed, read over and explained to the accused to which he pleaded not guilty and claimed to be tried in open court.

To date (20.08.2026) for evidence of CSW 1 and 2

Issue Summons. Dealing Assistant to comply .

Accused to be present on next date fixed.

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

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