

Special Case No.90/2023

Present :Smt. Papiya Das (J.O.No. WB00736)
Judge, Special Court,
Alipurduar.

Order No. 6,
dt.20.12.23.

Today is fixed for production, CD and bail hearing.

Accused Sujan Das is produced from J/C.

Ld Special PP is present.

Ld. Advocate for the accused is also present.

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

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

Ld. Advocate for the accused submits that the incident happened on 26.05.23 whereas the FIR was lodged on 28.05.23. He further submits that the accused was arrested on 27.09.23 from Kerala and was produced before the court on 02.10.23 and since then is in custody. It is further submitted that marriage was solemnized between the accused person and the victim girl who was 17+ years old at the time of commission of offence. Ld Advocate further submits that the accused will face trial and will not abscond. He thus prays for bail on any stringent condition.

Ld. Special P.P raises objection against the bail prayer by stating that the 164 Cr. P.C. statement of the victim girl reveals direct allegation against this accused.

Having heard both sides and after perusal of the materials on record and CD including the 164 Cr.P.C statement of the VG, I find that there are sufficient incriminating materials in the CD against this accused which justify his detention behind the bar. Moreover, investigation is going on and many evidences are forthcoming.

Considering the entire situation I am not inclined to enlarge the accused person on bail at this stage.

Hence, bail prayer of the accused person is hereby **rejected**.

To (03.01.24) for production and IO's report.

Dictated & corrected
by me

Judge, Special Court,
Alipurduar.

Judge, Special Court,
Alipurduar.