

Sessions Serial No. 385/2024

Order No. 3 dated 11.07.2024

Four accused persons are produced from J/C. They are Nur Yusuf Sk @ Alif Sk, Fajlur Rahaman Sk, Sabina Yashmin Bibi and Sonia Banu @ Soniara Khatun.

The bail petition for the accused person, namely, Fajlur Rahaman Sk is filed wherein the ld. PP in-charge has raised objection while the ld. Counsel for the defacto complainant echoed the same.

Ld. Defence Counsel has submitted that the accused has been in J/C since long and he deserves to be released on bail under any terms and condition.

The prosecution has submitted that this is the grave and serious offence and if the bail is allowed, there will be every chance to influence the material witnesses of this case.

Heard both sides. Considered.

It is very much logic based on law that the factors relating to the consideration of the bail petition must be taken into account by the court while deciding on granting of bail – 1) The nature of accusation, the severity of the punishment, if convicted, and the nature of the supporting evidence. 2) Reasonable apprehension of tampering with the witness or of a threat to the complainant. 3) Prima facie court's satisfaction in support of the charge.

Be that as it may the charge of the offence prima facie leveled against the accused persons/persons obviously are grave in nature and there is every chance of tampering with the evidence and influencing witnesses and the likelihood of the accused fleeing from justice, if the bail petition of the accused person is allowed at this juncture.

Considering the gravity and nature of offence and finding the accused fleeing away from justice and causing influence to the witnesses, if bail is allowed, at this juncture so, the bail petition of the accused, namely, Fajlur Rahaman Sk stands rejected and he is remanded to J/C.

The other accused persons represented by the same ld. Defence Counsel did not file bail petition for them, rather he prayed for fixing the date for framing of charge against the accused persons.

The remaining accused persons are remanded to J/C.

To **09.08.2024** for production of the accused persons and consideration of charge.

Dictated & Corrected
by me

A.S.J.

Additional Sessions Judge, 4th Court,
Berhampore, Murshidabad.
(JO Code - WB00713)
11.07.2024.