S.SL.No.29/2017

Order No.15, Dated 12.04.2018

03 accused persons on C/B are present before me by filing hazira. Another accused Joy Kumar Mondal is produced from J/C. Two other accused persons namely Basudeb Mondal and Bishunapada Mondal could not be produced from J/C on the ground as per petition filed to the effect that they are suffering custody in connection with Ranitala P.S case no. 140/18, dated 26.03.18.

Today is fixed for consideration of charge and that could not be possible owing to the fact that the above two accused persons could not be produced before me.

At this stage one bail application is filed on behalf of the accused Joy Kumar Mondal. Heard both sides. Considered.

Ld. Advocate standing for the accused prays for bail on the ground that he stands on the similar footing as that of other co-accused persons on bail. He also pressed the detention period suffered by him till date.

Ld. P.P in-charge referred the C.D and seriously opposed it.

I have consulted the materials on record and that of in the C.D and find that this accused has been suffering detention since 07.02.18. This is a case inter alia under section 307 of the I.P.C. Co-accused persons are on bail and this accused stand in the same footing. There is no appreciating grounds and circumstances to proceed for custodial trial of this accused.

With the above view this accused may find bail of Rs.3000/- with two registered sureties of Rs.1500/- each i.d. to J/C with a direction to appear on each and every date hereafter as also not to tamper the evidence and hamper the smooth progress of trial.

The bail order above be subject to the satisfaction of the Ld. A.C.J.M, Lalbagh.

Let a copy of this order be sent to the Ld. A.C.J.M for compliance.

Fixed 05.05.18 for charge.

D & C by me,

Sd/-
ASJ, FTC-1,
Lalbagh, Msd.

Sd/-
Addl. Sessions Judge,
FTC-1, Lalbagh, Msd.

Memo No._____, Dated_____

Copy forwarded to,
the Ld. A.C.J.M, Lalbagh for information and necessary action.

Addl. Sessions Judge,
FTC-1, Lalbagh, Msd.

S.SL.No.29/2017

Later, Dated 28.06.2018

At this stage, one bail application is filed and moved on behalf of the accused Aswani Mondal. Heard both sides in the matter. Considered.

Learned Advocate appearing for the accused prays that co-accused persons are enjoying bail and this accused stands on the similar footing. Court may also consider his detention period and let off him on bail imposing any condition.

Learned PP-in-charge referred the CD and opposed his bail prayer at this stage.

I have consulted the materials on record and that of in the C.D and find that this accused has been suffering detention since 05.05.18. Said accused surrendered voluntarily before the court of Ld. ACJM. He stands in the same footing as that of other accused persons, now enjoying bail. This is a case inter alia under section 307 of the I.P.C. There is no plausible to proceed for custodial trial of this accused. Moreover, charge is framed today.

With the above view, this accused may find bail of Rs.3000/- with two registered sureties of Rs.1500/- each i.d. to J/C with a direction to appear on each and every date hereafter as also not to tamper the evidence and hamper the smooth progress of trial.

The bail order above be subject to the satisfaction of the Ld. A.C.J.M, Lalbagh.

Let a copy of this order be sent to the Ld. A.C.J.M for compliance.

To date for PW evidence.

D & C by me,
Sd/-
ASJ, FTC-1,
Lalbagh, Msd.

Sd/-
Addl. Sessions Judge,
FTC-1, Lalbagh, Msd.

Memo No._____, Dated_____

Copy forwarded to,
the Ld. A.C.J.M, Lalbagh for information and necessary action.

Addl. Sessions Judge,
FTC-1, Lalbagh, Msd.