

Spl - 54/22  
CIS Registration No. - 54/22  
J.O. - Code – WB 653

**Order No.08, Dated –29.09.22**

Today is fixed for production.

Custody accused **Swapan Bhowmick @ Swapan Mandi** is produced from J.C who is taken in to custody and remanded to J.C. till .

Bail petition is filed by the accused along with some documents annexed therewith praying for his bail on the grounds stated therein .Copy served. Defacto complainant is not found present in Court. Ld. Spl. P.P. is present by filing hazira.

Bail petition is taken up for hearing. Heard Ld. Lawyer for the accused as well as Ld. Spl. P.P. Perused the bail petition as well as other materials in CD and case record. Considered.

In course of hearing, Ld. Lawyer for the accused prayed for bail on the grounds interalia that the accused person suffering from various diseases has been falsely implicated in this case for the offense under Sec 465/468/471 of the IPC as well as U/S 3 (1)(f), (g), (q) of the SC & ST (POA) Act. On the other hand, Ld. Spl. P.P. strongly opposed the bail prayer on the grounds interalia that the accused fraudulently purchased Tribal land by projecting himself as a member of S.T. and investigation is still in progress.

Having heard both sides and considering the materials on record, it appears to me that the accused is named in FIR and there are serious allegation against him. It further appears to me that tribal lands has been fraudulently purchased by the accused and investigation is lying at its initial stage. It further appears to me that the actual owners of the tribal lands in question namely Monu Soren, Susmita Soren, Dulari Soren, Mini Murmu Soren, Hiramoni Tudu, Basanti Majhi etc are not brought before this Court at the time of hearing of the bail petition. Materials on record further reveals that the present accused being Swapan Bhoumick fraudulently misrepresented himself as Swapan Mandi, S.O. - Lt. Monmohan Mandi before the land owners as well as Govt. authorities and got the property transferred in his favour without prior permission from the Revenue Officer as required under the Law. Even role of the defacto complainant appears to be suspicious as in one hand he lodged this case on the ground that he being the neighbor of the tribal land owners filed this case to protect the interest of poor fellow tribal while on the other hand he filed an affidavit before this Court on 08.09.22 stating interalia that he has got no objection if the accused person is released on bail.

Considering all the above noted facts and circumstances as well as considering the nature of offense and role of accused person therein, this Court is of the view that it would not be wise and proper to enlarge him on bail.

His prayer to that effect accordingly stands rejected.

To date.

D/C by me.

Judge

Special Judge  
under the S.C & S.T. (POA) Act.