

IN THE COURT OF ADDITIONAL SESSIONS JUDGE,  
2ND COURT, BANGAON, NORTH 24 PARGANAS.

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Present: Smt. Kumkum Singha (WB00712)  
Additional Sessions Judge, 2<sup>nd</sup> Court,  
Bangaon, North 24 Parganas.

**ST 01(02)2020**  
(CNR No. WBNP06000639-2019)

Order No.40  
08.01.2026

Sole accused Begu Mondal @ Shyamal in J.C. is produced virtually.

Ld. PP Sri Shyamal Kumar Biswas is present.

Ld. Defence Counsel is also present.

Two witnesses, namely, CSW-3 Beauty Bhowmick Adhikary and CSW-2 Dimpal Mondal are present. They are examined as PW5 & PW6 respectively in full and discharged. The signature of PW6 on the carbon copy of seizure list is marked as Ext.-P3/3 / PW6. PW5 is declared hostile at the instance of petition of Ld. PP under Section 154 of Indian Evidence Act.

Yesterday at the time of evidence one bail petition is filed by Ld. Defence Counsel and that petition was heard from both sides on that date the order of which is to be passed on today.

Ld. Defence Counsel at the time of his submission drew my attention that this accused person was previously enlarged on bail. Thereafter on 30.08.2022 he remained absent without steps. As a result order was passed as to issue of warrant of arrest against that accused person. That accused person was then working outside this country for a long period of time and for that reason proper communication was not made and said adverse order was passed and then on 22.04.2025 that person surrendered voluntarily before this court. Then he was taken into custody and his bail petition was rejected by this court considering his previous conduct. Then the present petitioner went to Hon'ble High Court seeking for bail but Hon'ble High Court also did not allow the prayer of bail and it was rejected then by order dated 22.07.2025 on the ground of antecedent of abscondence of this accused causing delay in trial and it was further directed in the said order to expedite the trial without granting unnecessary adjournment. At present all the vital witnesses of this case are examined. The rest witnesses are formal witnesses and the accused person is in custody since his surrender on 22.04.2025 till date. So considering the progress of trial on any condition bail may be granted to this accused person.

Ld. PP raises strong objection against that petition and it is submitted that on earlier occasion even on his voluntary surrender Ld. Court rejected the bail petition considering the previous conduct and in the same tune Hon'ble High Court also rejected his prayer for bail. It is the fag end of the evidence of prosecution. So if the accused person is enlarged on bail at this stage this will again cause the delay in trial. Thus, the bail prayer must be rejected.

Considered the submission of both sides. I find the submission of both sides as true. Up to today most of the vital witnesses of prosecution are examined. At this stage I do not think it fit to observe anything on merit of the case or the weight of the evidence of prosecution. It is found only medical officer and I.O, two formal witnesses remained left to be examined. The accused person, on the other hand, is in custody since 22.04.2025 that is about nine and half months. So considering that period of detention *vis a vis* the stage of trial I think it will not cause prejudice to the prosecution case if he would be enlarged on bail with some stringent condition where as per latest observation of Hon'ble Supreme Court bail should be the general rule and jail should be the exception. Thus, the accused person may find bail of Rs. 20,000/- in two sureties, Rs. 10,000/- each or like amount one in registered surety and other local surety which a condition to be present on next successive dates of the case without fail subject to the satisfaction of Ld. ACJM, Bangaon with further direction not to cause any threat or pressure on the victim or her family and not to leave the jurisdiction of this court without prior permission of this court, i.d. to J.C. up to 16.02.2026.

Copy of this order is to be sent to the Ld. ACJM, Bangaon for necessary information.

To fix **16.02.2026 & 17.02.2026** for evidence of Medical Officer, I.O. and other witness, if any.

Ld. PP is accordingly directed to issue summon.

It is further directed to take proper steps for marking the 164, Cr.P.C. statement under provision of law without calling the concerned Ld. Magistrate.

Accused as before.

Dictated & Corrected by me

Sd/-  
ADJ-2, Bangaon, North 24 Parganas.

Sd/-  
Additional District & Sessions Judge,  
2<sup>nd</sup> Court, Bangaon, North 24 Parganas