

ST 8(9)2022

Present: Mr. P.K. Adhikary, ADJ, FTC-1, Basirhat as P.O. incharge.
J.O. Code (UID No.)WB916

25/ 17.05.2024

Today is fixed for production of the accused in judicial custody, appearance of the accused on court bail and evidence.

Out of seven accused three accused Buddhishwar Mondal, Lakkhikanta Mondal and Kalosona Mondal are on court bail and they are present by filing hazira. One accused Dwip Mondal @ Habla was transferred to Juvenile Justice Board, Saltlake, being juvenile. The remaining three accused Monoranjan Mondal, Birendranath Mondal and Babusoan Mondal in judicial custody are not produced today due to non availability of police escort and vehicle due deployment of police personnel in emergent Law and Order duty in Parliamentary Election 2024.

The Id. Advocate on behalf of these accused in judicial custody has filed an application praying for bail on the ground that they are in judicial custody from 16.01.2024; they are innocent and falsely implecated in this case.

The Ld. P.P. incharge Goutam Banerjee is present by filing hazira and he has raised strong objection against the bail application.

Considering the materials on record including the case diary it appears that charge sheet has already been submitted punishable under section 302/24 IPC. So pima facie case has well been stablished against the accused. Considering the prima facie materials, on 30.09.2022 charge punishable under sectin 302/34 IPC was framed against the accused. Evidence have already been started. P.W. 1 was already examined and cross examined in full. There are sufficient materials in evidence against the accused. Moreover, on 12.03.2024 bail petition of these three accused was rejected by this court where the then P.O. ordered that "it appears that there is an eye witness, to the alleged incident and the said witness has stated the specific role of each of the abovel named accused. So, if the offence is proved it will attract mandatory life imprisonment". No substancial change is found since the rejection of earlier bail rejection .

In the above circumstances the court is not inclined to enlarge the accused on bail as such the prayer for bail is rejected.

Return the C/D.

Fix 04.07.2024 for appearance, production and evidence.

Prosecution to take steps accordingly.

Addl. District and Sessions Judge incharge
Fast Track Court no. 2
Basirhat, North 24 Parganas.