

S.C. No. 118/2021 (Reg 118 of 2021)

10.08.2022

Today is fixed for hearing of the bail petition filed for custody accused Bappa @ Jitendra Pal on 03.08.22.

Ld. Lawyer for the accused Bappa @ Jitendra Pal is present and Ld. Addl. P.P is also present.

The said petition for bail of accused Bappa @ Jitendra Pal is taken up for hearing.

Heard Ld. Lawyer for the accused person who submitted that the present accused person is in custody since long and the trial is going on and also that there is no direct evidence in the case against the accused person and that the accused is an innocent person and that he is falsely implicated in the present case and also that he is a family man having no chance of fleeing away.

Ld. Addl. P.P. raised serious objection and stated that the evidence is going on and it is the primary stage of the trial the accused cannot be given bail and also submitted that the evidence of the vital witnesses are yet to be taken.

Heard Ld. Lawyer for accused person and Ld. Addl. P.P.

Ld. Addl. P.P. also placed the C.D. before the court.

Considered all the materials including C.D. and the evidence adduced so far.

It appears that it is not stated in the bail application by the Ld. Lawyer as to whether the accused who is in custody has filed any bail application before the Hon'ble High Court and whether any bail application is pending / rejected before the Hon'ble Court or not.

It appears from the record that earlier the trial has started and the evidence of vital witnesses are yet to be taken. It appears from the CD that there are sufficient prima facie materials against the accused person as appeared from the 161 Cr.PC statement of different witnesses and also from the recovery etc.

The next schedule of the trial is from 29.09.22 and if at this stage the accused is enlarged on bail there is every possibility delay in trial and tampering with the evidence.

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Contd....
dated 10.08.2022

On perusal of C.D. and on perusal of the materials against the accused and considering the fact that the trial is going on and the next schedule of the trial is from 29.09.22 and nature and gravity of the offence the prayer for bail stands **rejected**.

Let the accused person be remanded to J/C till next date 29.09.2022.

CD be returned.

To date for evidence.

Dictated & Corrected by me

Addl. Sessions Judge
1st Court, Purulia.

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