

Sessions Case No. 130 of 2023

Order No.02

04.04.2023

Accused persons namely, **1. Majbur Ali Dalal @ DD, 2. Rahamatulla Mondal, 3. Sk. Kismat @ Gabbar, 4. Sk. Manu @ Manauddin and 5. Nawab Haider** are produced from the DCH, Purulia and remanded to J/C.

Ld. P.P and the Ld. Lawyer for the accused persons are present.

The bail prayer is filed on behalf of the accused petitioners.

Ld. Lawyer for the present accused persons have prayed for bail for the present 5 accused persons stating inter-alia that they are in custody since long and that they have been falsely implicated in this case and that the investigation has already been completed and there is no chance of any further recovery from the possession of the present accused persons, so they may be enlarged on bail.

Ld. P.P. raised objection to the instant prayer for bail stating inter-alia that in this case a prima facie case u/s 395/412 of IPC read with Section 25/35 Arms Act has well been established against five accused persons and that during the TI parade two accused persons have been identified by the defacto complainant and the stolen jewellery from the possession of the accused persons were also identified by the defacto complainant during TI parade and that IO of this case has prayed for custody trial of all five accused persons.

Perused the L.C.R as well as the C.D.

Heard both sides. Considered.

On perusal of the material in the record as well as CD in this case IO has submitted the CS against five accused persons u/s 395/412 of IPC and 25/35 Arms Act and that during investigation the defacto complainant identified two of the accused persons during TI parade and the defacto complainant already identified seized jewellery recovered from the possession of the accused persons during PC period.

Considering the nature of the present case and the incriminating materials against the accused persons in the CD, I am not inclined to enlarge the present accused petitioners on bail at this stage.

Accordingly, the prayer for bail filed u/s 439 of the Cr.P.C in favour of the present accused petitioners namely **1. Majbur Ali Dalal @ DD, 2. Rahamatulla Mondal, 3. Sk. Kismat @ Gabbar, 4. Sk. Manu @ Manauddin and 5. Nawab Haider**, is hereby **rejected** at this stage.

Let the case record be transferred to the Court of Ld. Additional District & Sessions Judge, FTC 2nd Court, Purulia for disposal.

To **18.04.2023** for production of the accused persons.

Superintendent DCH, Purulia is directed to produce the accused persons before the Ld. transferee Court on the date fixed.

(Dictated & Corrected)

Sessions Judge, Purulia
(I/C)

Sessions Judge, Purulia.
(I/C)

