

**CNR No: WBSP010053982024**

**Present: Sarajit Mazumdar [J.O Code: WB00646]**

**ST Case No: 01 (08) of 2024**

**SC -38 (04)2024**

**Order No. 08, dated: 20-08-2024.**

Today is fixed for production of accused and consideration of charge.

The accused person, namely Pronoy Roy @ Pupai is produced from J/C. He is taken into custody and remanded to J.C till 25.09.2024.

One application is filed on behalf of accused Pronoy Roy for bail. Copy of which has already been served.

The application is taken up for hearing.

Heard the learned advocate for the accused who submits for bail on the ground that this applicant is in custody since 05.03.2024. He further submits that the only daughter of this accused is 1 years old who advised by the doctor to admit in the hospital. As such prayer for bail may be allowed on any terms and condition.

Learned P.P raises objection on the ground that this is third attempts to kill his elder brother. The injury was so grave that I.O under apprehension of death recorded the statement of the victim to be used as dying declaration.

Perused the CD including the statement of VG containing Page No.54 of the CD.

Considering the gravity of alleged offence and materials in the CD and the injuries suffered by the victim I am not inclined to enlarge this applicant on bail. So, prayer for bail of the accused is rejected.

Hence the case is taken up for consideration of charge.

Ld. P.P. in-charge opens his case by describing that on 04.02.2024 in the afternoon at around 3.00 PM at P-5, Pashupati Bhattacharya Road, Kolkata-41 under P.S-Behala this accused attempted to murder his elder brother Proloy Roy by knife. He repeatedly stabbed his elder brother. According to him this is the third attempt to kill his elder brother. He also states by what evidence he proposes to prove the guilt of the accused person.

Learned advocate for the accused raises objection.

Perused the materials on record. Considered.

After hearing submissions of Ld. P.P. in-charge and Ld. Lawyer for the accused person as well as on consideration of materials on record, I am of the opinion that there is ground for presuming that the accused person namely Pronoy Roy @ Pupai has committed the offences punishable under **Section 307 of Indian Penal Code** which is exclusively triable by this court.

Contd....

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Accordingly, charge is framed against the accused person namely **Pronoy Roy @ Pupai** for committing offences punishable under **Section 307 of Indian Penal Code**.

The substances and particulars of the charge so framed is read over and explained to the accused person to which he pleaded not guilty of committing those offences by saying 'Ami Nirdosh' and claimed to be tried.

Formal charge is accordingly prepared and kept in the record.

Fix **25.09.2024** for production of accused and evidence of CSW-1.

Issue summons accordingly.

Prosecution to take steps for production of the witness and alamats, if any, on the date fixed.

Typed to the dictation directly;  
corrected on the system.

Sd/-Sarajit Mazumder  
Additional District and Sessions Judge,  
01<sup>st</sup> Court, Alipore, South 24 parga

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Additional District and Sessions Judge,  
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