

**Special ST – 01(12)2019**  
**Special Case No.216/18**  
**CNR-WBSP01-012762-2018**

Present :Manas Ranjan Sanyal (JO Code - WB00666)  
Judge, Special Court & 2nd A.S.J.,  
Alipore, South 24-Parganas.

Order No.36

Dt.04.05.2022

Accused Mithu Ghosh is produced from J.C in person.

Accused Monojit Das on bail is present by filing hazira.

Today is fixed for evidence of doctor and one seizure list witness.

Witnesses namely Dr. Soma Bandyopadhyay and Nisha Das are present.

Learned Special P.P as well as learned Defence Counsel are also present.

Witness Dr. Soma Bandyopadhyay is examined-in-chief by prosecution in full as PW-4. The documents and signatures are marked as **Ext.4** and **Ext.8**. She is also cross examined by learned Defence Counsel in full and then discharged.

Witness Nisha Das is examined-in-chief by prosecution in full as PW-5. The documents and signatures are marked as **Ext.2/3, Ext.9/1, Ext.10/1, Mat Ext.I, Mat Ext.II, Mat Ext.III and Mat Ext.IV**. She is also cross examined by learned Defence Counsel in full and then discharged.

At this stage a bail petition has been filed on behalf of accused Mithu Ghosh.

Heard both sides. Perused the material on record

Learned advocatee for accused submitted that the instant case was started on 23.08.2018 and the charge sheet was filed on 12.11.2018 by citing thirteen witnesses. Till date five witnesses have already been examined and one co-accused Monojit Das has been granted bail by the Hon'ble High Court and another two charge sheeted female accused were discharged by this Court during framing of charge. The allegation against this accused is false and evidence of both vulnerable witnesses have been recorded. No bail petition is filed or rejected by the Hon'ble Court. So accused may be granted bail on any condition.

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Learned Special P.P raises objection.

Perused the materials on record and evidence on record.

It appears from the record that accused is in custody since 23.08.2018 i.e. she is in custody for about four years and till date five witnesses have been examined. The victim girl has already been examined in this case. One co-accused has also been granted bail by Hon'ble Court. So considering the long detention of the accused and considering that another co-accused is enjoying bail and also considering that both the vulnerable witnesses were examined in this case I am inclined to grant bail to this accused.

Accordingly, accused person namely Mithu Ghosh shall be released on bail of Rs. 5,000/- (rupees five thousand only) with two surety of Rs.2500/- (rupees two thousand five hundred only) each subject to satisfaction of learned C.J.M Alipore with condition that she shall attend the Court regularly i.d to J.C.

If on bail to 12.07.2022 for appearance of accused and evidence of CSW-5 and 6 and 13.07.2022 for appearance of accused persons and evidence of CSW-11.

CD be returned.

D/c by me.

Sd/-Manas Ranjan Sanyal  
Judge, Special Court &  
2nd A.S.J., Alipore.

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