

Special S.T. No. 03(02)2024

Special Case No.281/2023

CNR – WBSP01-012998-2023

Ref.:Jadavpur PS Case no: 150/2023 Dated : 11.08.2023

U/s 302/34 of I.P.C read with Sec 12 of the Protection of Children from Sexual Offence Act 4 of the West Bengal Prohibition of Ragging in Educational Institute Act, 2000

Present : Rimpa Roy (JO Code - WB00822)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

Order No. 22

Dt. 16.12.2024

Accused persons namely 1. Sourav Chowdhury, 2. Dipsekhar Dutta, 3. Manotosh Ghosh, 4. Asit Sardar, 5. Saptak Kamilya, 6. Md. Asif Afzal Ansari, 7. Ankan Sarkar, 8. Md. Arif, 9. Sumon Naskar, 10. Satyabrata Roy, 11. Sk. Nasim Akhtar and 12. Himangshu Karmakar are produced before this Court from J/C through VCS.

Today is fixed for evidence and hearing of bail application filed on behalf of accused Asit Sardar and Manotosh Ghosh.

Witnesses namely Umesh Thakur and Tapan Kumar Jana are present in Court.

Witness Umesh Thakur is examined and cross-examined in full and discharged as PW 9 / CSW23.

Witness Tapan Kumar Jana is examined in part and on the prayer of the prosecution his examination-in-chief is deferred. Signatures of the victim boy on the admission form of the victim boy are marked as Exhibit P-10/4 and P-10/3. Witness is discharged with a direction to be present on the next date fixed.

Now the bail applications are taken up for hearing.

Ld. Advocate for accused Asit Sardar and Manotosh Ghosh has submitted that their clients are innocent and has been falsely implicated in this case. Ld. Advocate has further submitted that their clients are in custody since long. Thus, he prayed for bail of the accused persons in any condition.

Ld. Special P.P. raised objection against the prayer for bail.

Defacto complainant is also present and raised strong objection against the prayer for bail.

Heard both sides. Perused the CD and other materials in the case record.

This is a case under sections 302/34 of I.P.C read with Sec 12 of the Protection of Children from Sexual Offence Act 4 of the West Bengal Prohibition of Ragging in Educational Institute Act, 2000. It transpires from the CD and the statement of the witnesses that

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there are sufficient incriminating materials against the accused persons to show their direct involvement in the commission of the alleged offence. Thus having considered the nature and gravity of offence considering that the vulnerable witnesses have not yet been examined, I am not inclined to enlarge the accused persons on bail.

Hence, the prayer for bail is rejected.

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

To 13.01.2025 for production of the accused persons from J/C and further evidence of PW 9 / CSW-23 Tapan Kumar Jana.

Return CD.

D/c by me.
Sd/-

Judge, Special Court &
2nd A.S.J., Alipore

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