

**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. 40  
Dt. 19.11.2025

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 physically from J/C.

Witness, Ratnajit Kundu is present in Court. Ld. Special PP is present.

Ld. Advocates for the accused persons are also present in Court.

Witness, Ratnajit Kundu (CSW 12) is examined-in-chief in full as P.W. 12. During his examination-in-chief his statement u/Sec.164 Cr.P.C. along with the signatures are marked as Exhibit P-38 and P-38/1 collectively. Cross-examination of the witness has been deferred as the prayer of the accused persons u/Sec.231(2) of Cr.P.C. was allowed.

At this stage Ld. Advocate for accused Md. Asif Afzal Ansari has moved the prayer for bail.

Ld. Advocate for the accused person has submitted that the accused is innocent and has been falsely implicated in this case. Ld. Advocate has further submitted that his client is a meritorious student and he has prayed for bail so that accused Md. Asif Afzal Ansari may continue higher studies. He has further submitted that his bail prayer has not been rejected by the Hon'ble High Court or any other Court. He has submitted that this accused has been in J/C for 28 months. Thus, he has prayed for bail of the accused person in any condition. Ld. Advocate has filed the documents relating to the studies and extra curricular activities of the accused. He has referred the following decisions in support of his contentions;

I) Judgment of the Hon'ble High Court at Calcutta in connection with Satyajit Pal Vs. State of West Bengal;

II) (2011)1 Supreme Court Cases 784;

Ld. Special P.P. has raised vehement objection against the prayer for bail. Ld. Special PP has referred the following Judgments in support of his contention;

I) State of Rajasthan Vs. Indraj Singh etc, AIR Online 2025 Supreme Court 144;

II) Aashish Yadav Vs. Yashpal AIR Online 2025 SC475

III) State of Karnataka Vs. Darshan, AIR Online 2025 SC 779;

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IV) Gurwinder Singh Vs. State of Punjab, AIR Online 2024 SC 71;

V) Gajanan Dattatray Gore Vs. State of Maharashtra, AIR Online 2025 SC 742.

Defacto complainant is personally present in Court along with his Ld. Advocate.

Defacto complainant has raised strong objection against the prayer for bail.

Heard the Ld. Advocate for the accused, Ld. Special PP and the defacto complainant. Perused the materials available on record including the evidence recorded so far.

On meticulous perusal of the materials available on record including the evidence of the witnesses I find that there are sufficient incriminating materials against the accused showing his direct involvement in the commission of offence. The vulnerable witnesses are yet to be examined and there is every likelihood that the release of the accused would influence the evidence of the vulnerable witnesses. Thus having considered the facts and circumstances stated above, I am not inclined to enlarge the accused person on bail.

Hence, the prayer for bail is rejected.

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

To **25.11.2025** for production of the accused persons from J/C through VCS, evidence and hearing of the application filed on behalf of accused Ankan Sarkar.

Prosecution to produce it's witness.

D/c by me.

Sd/-

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

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