

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special ST No. 10(02)2018
Special Case No. 205/2017
CNR: WBSP01-013844-2017

Present :Sudipta Bhattacharjee (JO Code - WB00794)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.
State Vs. Rohon Singh and others.

Order No.61

Dt. 07-02-2024

Today is fixed for production, appearance, argument and hearing of the petition dated 04-01-2024 filed by the ld. Special P.P., the petition dated 11-01-2024 for hearing of the petition under section 311 of Cr.P.C. read with section 138 of Evidence Act and the re-joinder petition dated 22-01-2024, filed for the defence.

The accused Rohon Singh is produced from J/C in person.

The accused Usha Singh, on CB, is present by filing hazira.

At this stage, the case record is taken up for hearing of the bail petition, filed on behalf of the accused Rohan Singh.

An affidavit is filed on behalf of the victim girl/defacto complainant. Let it be kept with the record.

The victim girl/defacto complainant has submitted that she has got no objection against the prayer for bail.

Ld. Lawyer for the accused submitted that the accused is in custody for near about seven years and he also filed a petition for recalling the witnesses under section 311 of the Cr.P.C. for proper adjudication of the case. Thus, he prayed for bail.

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

It appears that the accused is in custody for more than six years. Different petitions have been filed on behalf of prosecution as well as defence. The prosecution, by filing this petition, prayed for recalling the doctor for exhibiting one document which is essential in this case and defence, on the other hand, filed two petitions under sections 311 of Cr.P.C. read with section 138 of Evidence Act for re-examination of few witnesses including the victim. These petitions are pending. Since three petitions are pending, there is no immediate chance of passing judgment without disposal of these petitions. The accused admittedly, is in custody for a long time. Considering all facts and circumstances and considering the contentions and having heard the submissions of both sides including the defacto complainant, I am inclined to enlarge the accused on bail.

Accordingly, accused person namely **Rohon Singh** may find bail of Rs. 5,000/- (rupees five thousands only) with two sureties of Rs. 2,500/- (rupees two thousand five hundred only) each subject to satisfaction of learned C.J.M Alipore with condition that he shall not enter into the jurisdiction of the police station where the victim resides and will attend the Court on each and every date of hearing as fixed by this Court, failing which, the bail of the accused/petitioner will stand cancelled without any further reference to this court i.d to J.C. till 01-03-2024.

If on bail to 01-03-2024 for appearance of the accused and hearing of the petitions. Accused Usha Singh is on bail as before.

Return CD.

D/c by me.
Sd/-

Sd/-

Judge, Special Court &

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

2nd A.S.J., Alipore.