

Special ST - 12(01)2023
Special Case No.258/2022
CNR -WBSP01-016033-2022

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

20
20.06.2023

Accused persons namely **Arup Sengupta @ Putu, Abhisek Singh @ Nikhil Singh, Sanjay Patra @ Kalu @ Raj, Saheb Adhikary @ Madan and Rahul Singh** are produced from J.C through VCS.

Today is fixed for production and for passing order in respect of bail petition of custody accused.

Heard both sides.

Learned advocate appearing on behalf of accused persons submitted that these accused are in custody since 19.10.2022. Out twenty-two witnesses all the private witness have been examined. Now only the public witnesses are yet to be examined. So there is no chance of tampering of witnesses. Vulnerable witness and his near relatives have already been examined. No bail petition is either pending or rejected before any higher forum. So, considering the long detention of the accused, the accused persons may be granted bail on any condition.

Ld. Special P.P strongly opposed the bail prayers by submitting that this is case of gang rape.

Defacto complainant was also present on the earlier occasions and submitted that the accused persons are local boys and if they are granted bail they may show fear and safety and security of the victim will be at stake.

Perused the evidence and other materials on record.

It appears from materials on record that out of 22 witnesses 09 witnesses have been examined and it further appears that there is serious allegation of gang rape against all the accused persons. Medical report of the victim girl also supports some sexual violation upon the victim. Victim was missing for whole night and all these accused persons were involved in this case who sexually violated the victim girl. The offence is very grave in nature. The accused persons are residents of same locality where the victim is residing. So, if the

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accused accused is granted bail at this stage safety and security of the victim girl will be at stake. Moreover, as per statement of defacto complainant victim girl is still in trauma due to this incident. It appears that eleven witnesses out of 22 witnesses have already been examined. The trial of this case will be concluded in the next schedule so, at this stage considering the gravity of offence and considering that trial is nearing completion I am not inclined to grant bail to these accused persons. Accordingly, bail petition of accused persons stand rejected.

Fixing **17.07.2023** for evidence of **CSW-12 & CSW-20**

18.07.2023 for evidence of **CSW-14, CSW-15 and 16.**

19.07.2023 for evidence of **CSW-17 and 21**

20.07.2023 for evidence of **CSW-22**

To dates for production of custody accused and appearance of C/B accused.

I.O is directed to bring the above witnesses on the date fixed positively and inform the defacto complainant.

D/C by me
Sd/-Manas Ranjan Sanyal
A.S.J 2nd Court, Alipore
South 24 Pgs

Sd/-Manas Ranjan Sanyal
Addl. Session Judge
2nd Court Alipore