

S. T. - 01(02)2020
CIS 14/2020

Order No.32, dated 16.08.2023

Today is the date fixed for evidence.

No witness is present.

The accused is produced from J/C.

Ld. P. P. in charge is present and prayed for time for issuing summon.

Ld. Advocate for the accused filed a petition praying for bail and Mr. Rupam Kumar Srivastav State Defence Counsel also appeared and submitted before this court to the effect that his appointment has not yet been cancelled till date and is still in force and also submitted that the accused be released on bail on any condition and he never misused liberty.

Perused the case record.

It appears that the accused was arrested on 07.11.2014 in Budge Budge PS case NO. 486/14 dated 07.11.2014 under section 379/411/413/414/34 and was produced on 08.11.2014 and remanded to J/C till 21.11.2014 and subsequently on 12.11.2014 obtained bail for Rs. 5000/- with two sureties of Rs. 2500/- each after a period of remand.

On 21.11.2014 the bail was confirmed. Charge sheet was submitted on 07.03.2015 and cognizance was taken.

Since after obtaining bail accused did not appear in court and one after another date was deferred due to absent petition by the Ld. Advocate of the accused and finally on 12.06.2017 warrant was issued.

Accordingly on 05.09.2017 the accused was brought under arrest and on the date of arrest and on the date of production the accused was released on bail of Rs. 2000/- with one surety and the bond was not submitted accordingly the accused was sent to correctional home by the Ld. A. C. J. M, Alipore vides its order dated 05.09.2017 directing the accused to be produced before the Ld. Sessions Judge on 16.09.2017 and thereby committed the case.

Subsequently, on an application dated 18.11.2017 the accused was released on bail.

Immediately after his released the accused again absconded since from the next date of his released viz. since from 20.12.2017 but the warrant was pending till 30.10.2019 and until he was brought under arrest and thereafter Mr. Sanjoy Chakraborty Advocate, Mr. Ramapada Jana Advocate and Mr. Rupam Kr. Srivastav were appointed as State defence lawyer to defence the accused.

Upon careful perusal of the case record it appears that the accused since after obtaining bail started absconding and repeatedly misused the liberty. Under such circumstances it is held that this is the fit case for custody trial and accordingly the prayer for bail is rejected.

The accused is remanded to J/C till 11.09.2023.

To 11.09.2023 for evidence and production of the accused.

D/c by me.

A. D. J.

A. D. J, 17th Court, Alipore.