

SC 13(01)2020

Order no 3 dated 04.02.2020

Today is fixed for production , appearance and ER of W/A.

Accused Fajlu Halder and Saifuddin Sardar are present by filing hazira and late hazira.

Accused Sirajul Gayen is absent without steps.

Accused Rakesh Haldar is produced from J/C.

Bail petition is filed on behalf of accused Rakesh halder on the ground stated there in.

On call accused Sirajul Gayen is absent.

Issue W/A against Sirajul Gayen.

Start misc case u/s 446 cr.p.c against the sureties and bail bond in respect of the sureties be sent to Ld. JM 4<sup>th</sup> court for forfeiture of bail capacity until further order from this court.

ASI Manoj Kumar Naskar prays for time for execution of Warrant in respect of accused Firoz Sk, Mahidul Molla, Rohon Sarkar.

Prayer for time is allowed.

The record is taken up for hearing of the bail petition in respect of accused Rakesh Haldar.

Perused the bail petition.

Hd. The Ld. Advocate for the accused.

On behalf of state none appears.

Ld. Advocate for the accused submitted that the accused had voluntarily surrendered before this court and he is languishing his jail custody for more than considerable period of time and in any terms and condition he may be released on bail.

Having heard the ld. Advocate for the accused and on perusal of the materials on the record it appears that in this particular case all the accused are always in the habit of absconding and if this present accused is released on bail, there is every possibility of abscondance. So, I do not find any reason to grant bail for the petitioner.

Hence prayer for bail is rejected.

Let a copy of the order along with bail bond be sent to Ld JM 4<sup>th</sup> court for information and taking n/a.

To 24.02.2020 for app/Prod/ER of W/A.

D & C by me

ASJ