

Order no.30.

Dt.01.03.23.

Today is fixed for appearance, production and further evidence of PW-5.

Out of 02 accused persons, accused Shyamali Roy is present by filing hazirah and accused Biswajit Roy is produced from J/C.

Ld. Advocate for the accused persons is present. Ld. PP in-charge is present with C.D. No witness is present.

One application is submitted on behalf of the accused Biswajit Roy praying for his release on bail.

The application is taken up for hearing.

Perused. Heard both sides.

It has been contended on behalf of the accused that the petitioner is in custody since long and the complainant, who is the father of the deceased has already been examined as such there is no chance of influencing the witness. It is further contended that the petitioner never filed any bail application before the Hon'ble High Court, Calcutta.

Ld. PP in-charge raises strong objection against the prayer for bail.

Upon perusal of the materials on record it appears that charge has been considered against the accused person in respect of the offences punishable u/sec.498A/ 302/34 of I.P.C. Nature of the offence is grave. Incriminating materials are said to have been collected against the accused during investigation. Trial has already commenced. Relation of the deceased are yet to be examined. Moreover, there is every possibility that the accused might attempt to influence vital witnesses being residents of the same locality, if on bail.

In view of the aforesaid facts and circumstances, I am not inclined to enlarge the accused person on bail at this stage. Accordingly, the prayer for bail stands rejected.

Fixing 29.03.23 and 30.03.23 for production, appearance and further evidence of PW-5.

Prosecution is directed to take all necessary steps for producing witness on the date fixed.

The investigating officer of this case is directed to make all endeavour to produce witnesses on the date fixed.

Let a copy of this order be sent to the IO for information and necessary compliance.

D/C by me,

ADJ, FTC-II, Sealdah.

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