

CIS-10/2026
S.C No—01(02)2026
J.O. Code-WB00920

Order No. 04

Dated: 25.03.2026

Today is fixed for physical production of accused Sk. Manowar Alam from JC and consideration of charge and hearing of bail petition.

Accused Sk. Manowar Alam is physically produced from JC and he is represented by his Ld. Counsel.

Ld. PP in charge is present.

The case record is taken up for hearing of bail petition filed by the accused.

At the very outset, Ld. Defense Counsel submits that no bail petition in respect of this accused in connection with this case is pending or rejected by any upper forum. It is submitted that the accused is in J/C since 19.11.2025. There is seizure of a note made by the deceased victim in her diary and charge sheet has been submitted. The alleged incident is totally false and it is based upon mere suspicion. Hence, prays for bail of the accused.

Ld. P.P. in-charge raises vehement objection against the prayer for bail of this accused petitioner and submitted that this is fit case for custodial trial. He pointed out that on 20.01.2026 Ld. District & Sessions Judge, Alipore and this Court had already rejected the bail prayer of the accused. He also pointed out that the P.M report of the deceased victim from which it appears that uterus likely enlarge with small reddish mass in cavity, both ovaries enlarged reddish. The said observation suggests that the victim was at primary stage of pregnancy (molar pregnancy). In this regard he has submitted an article of WIKIPEDIA wherein it has been observed “based on medical jurisprudence and clinical pathology, the findings of a slightly enlarged uterus, a reddish mass in cavity (representing blood/abnormal trophoblastic tissue), and enlarged, reddish ovaries (likely theca-lutein cysts) are highly suggesting of a molar pregnancy (hydatidiform mole), specifically a potential partial or early complete mole.”

The Ld. Advocate for the defacto complainant is also present. He raises strong objection against the bail prayer and further submitted that Ld. District & Sessions Judge, Alipore as well as this Court had already rejected the bail prayer of the accused on previous occasion. He also submitted that the offence took place in the chamber of the accused.

Heard both sides at length.

Having heard both sides and on perusal of the CD including the note made by victim in her diary, the FIR, the statement of the witness u/s 180 BNSS, a note made by the victim girl in her diary and other materials as available in the case record, it appears that the deceased victim had a intimate relation with the accused. The alleged incident took place in the chamber of the accused who is an Advocate. In fact, the dead body of the deceased victim was also recovered from the same place. Moreover, in this case after completion of investigation, the IO has submitted charge sheet u/s 64(2)(f)(m)/68(a)/108 BNS and thus a prima-facie case has been made out by the prosecution against the accused.

So, in view of above discussion, considering the nature and gravity of the offence and facts and circumstances of the instant case, I am not inclined to allow the bail prayer of the accused at this stage.

Considered.

Hence, it is,

Ordered

that the bail prayer of accused Sk. Manowar Alam is rejected.

Return the C.D.

Fix 17.04.2026 for physical production of accused Sk. Manowar Alam from JC and evidence.

Dictated & Corrected by me

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas I/C

Additional Sessions Judge, 1st Court
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Later:

Dated: 25.03.2026

The case record is taken up for consideration of charge.

Heard both sides.

Perused the materials on record and the C.D. On perusal of the FIR, Charge sheet, CD and other materials as available on case record, it appears that the prosecution has succeeded to make out a prima-facie case against the accused person namely Sk. Manowar Alam **Under Section 64(2)(f)(m)/68(a)/108 BNS.**

As such, the contents of charge for the offence triable Under Section **64(2)(f)(m)/68(a)/108 BNS** is read over and explained to the accused person namely Sk. Manowar Alam and also asked him whether he pleaded guilty or not to which he pleaded not guilty by saying “**Ami Nirdosh**” and also claimed to be tried.

The charges have been written in a separate sheet. Let the same be kept with the case record.

To date for physical production of accused Sk. Manowar Alam from JC and evidence.

Prosecution to furnish process for issuing summons upon the witness at once.

Issue summons accordingly.

The accused person is as before.

Dict. & Corr. by me

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas I/C

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