

CIS-10/2026
ST-01(03)2026
S.C No-01(02)2026
J.O. Code-WB00875

Order No. 09

Dated: 06.05.2026

Today is fixed for physical production of accused Sk. Manowar Alam from JC and hearing of bail petition filed for accused on 17.04.2026 and appointment of Ld. PP in charge.

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

Ld. Spl. Public Prosecutor in charge namely Sri Anirban Guha Thakurata has already been appointed from the office of Superintendence of Remembrancer of Legal Affairs.

Ld. Spl. PP in charge files hazira for the State.

Hazira filed by defacto complainant along with the petition raising objection against the bail petition.

The case record is taken up for hearing of bail petition filed for 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 before filing charge sheet, bail petition was rejected by Ld. Sessions Judge, Alipore. This accused is in custody since 19.11.2025. Alleged incident occurred on 12.11.2025. Charge sheet has been submitted against this accused on 08.01.2026. It is further added that in FIR there is no ingredient of abetment and instigation. Ld. Defence Counsel takes me to the written complaint and submits that according to DC, the deceased was engaged with this accused and at that time she was a law student. But the statement of defacto complainant recorded by police reveals that on 11.11.2025 i.e. just prior to the death of occurrence of alleged incident, the deceased/victim got her admission in law. It is further added that a letter allegedly written by the deceased/victim was produced by defacto complainant before IO at PS. The said handwriting was not sent to expert by IO. Ld. Defence Counsel further draws this Court's attention towards column no. 11 of P.M. report. It is submitted that there is no external injury noted in the P.M. report. The accused is an advocate of this case and there is no chance of his absconding if released on bail. It is orally submitted that there is no previous criminal record of this accused. The alleged incident is totally false and it is based upon mere suspicion. Hence, is the prayer for bail of the accused.

Ld. Spl. P.P. in-charge raises vehement objection against the prayer for bail of this accused and submitted that this is fit case for custodial trial. Ld. Spl. PP in charge further submits that the alleged incident occurred on 12.11.2025 and this accused was arrested on 19.11.2025 from South India. This accused is an advocate of this Court and is not a layman. He intentionally fled away to evade his arrest. If he was really innocent, then he would have surrendered and cooperated with the investigation. The accused is an influential person and hence, there is every chance of tampering of witnesses if the accused is released on bail at this stage. It is also submitted that there is no change in circumstance since after last rejection of his bail petition on 25.03.2026.

Ld. Counsel appearing for defacto complainant raises objection in granting bail to accused on similar ground. 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 witnesses in CD, 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 relationship with the accused. The alleged incident took place in the chamber of the accused who is an Advocate. The dead body of the deceased victim was also recovered from the same place. It is on record that the alleged incident occurred on 12.11.2025 and this accused was arrested on 19.11.2025 from South India. 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.

Considering the materials on record as well as C.D., it is found that there is serious allegation against this accused. This Court at this stage is not inclined to release the accused on bail.

Accordingly, bail petition filed for accused Sk. Manowar Alam is rejected.

Return the C.D.

At this stage Ld. Defence Counsel prays for fixing next date on 10.06.2026, to which Ld. Spl. PP in charge raises no objection.

Fix 10.06.2026 for physical production of accused Sk. Manowar Alam from JC and evidence of CSW-1.

Prosecution to take steps for producing witness accordingly.

Dictated & Corrected by me

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas

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