

CIS-29/2022
ST-06(06)2022
SC-02(06)2022
(J.O.Code-WB00875)

Order No. 46

Dated: 21.02.2025.

Today is fixed for hearing of bail petition filed for accused Amal Khatua and Kartick Maity on 10.02.2025.

Ld. Advocate representing accused Amal Khatua and Kartick Maity is present.

Ld. PP in charge namely Sri Dulal Chandra Dolai files hazira for the State and he is present.

CD is produced.

The case record is taken up for hearing of bail petition filed for accused Amal Khatua and Kartick Maity.

Heard both sides.

At the very outset, Ld. Defence Counsel submits that no bail petition in respect of these accused persons in connection with this case is pending before any upper forum as on this date. It is submitted that these accused persons are in J/C since 11.04.2022. The last witness examined and cross examined in this case as PW-21 is the IO of this case and evidence took place on 18.07.2024. Since after that there is no progress in trial in this case record. It is further added by Ld. Defence Counsel that Hon'ble High Court, Calcutta was pleased to reject the bail prayer of these accused persons after commencement of evidence of this case. The accused persons have been falsely entangled in the present case. Hence, is the prayer for bail of the accused persons on detention ground.

Ld. P.P. in-charge opposes the bail petition and submits that Hon'ble High Court, Calcutta has been pleased to reject the bail prayer of these accused persons 13.07.2022 and 22.11.2022. It is submitted by Ld. PP namely Sri Dulal Chandra Dolai that he has taken charge of this case on 06.05.2024 and though IO has been examined and cross examined, many other witnesses such as CSW-15, CSW-17, CSW-18, CSW-20, CSW-21, CSW-22, CSW-23, CSW-24, CSW-25, CSW-26 are yet to be examined by the prosecution. There is enough materials in CD as well as in the depositions of witnesses. Summing up prosecution prays for rejection of the bail petition.

Considering the materials on record as well as in CD, it is found that there is serious allegation against these accused persons. Hon'ble High Court, Calcutta has been pleased to reject the bail prayer of these accused persons. The evidence is towards the end. In such circumstances, keeping into consideration the gravity of alleged offence, as well as materials in hand this Court at this stage is not inclined to release these accused persons on bail.

Accordingly, bail petition filed for accused persons namely Amal Khatua and Kartick Maity is rejected.

At this stage Ld. PP in charge prays for fixing next date for evidence of CSW-15.

To date i.e. 06.03.2025 for evidence of CSW-15.

Prosecution is directed to take steps for producing witness accordingly.

Return CD.

Dict. & Corr. by me

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

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