

CIS-34/2023
ST-02(10)2023
SC-06(08)2023
(J.O.Code-WB00875)

Order No. 44

Dated: 19.06.2025.

Today is fixed for production of three accused persons from JC through VC, appearance of five accused persons on Court bail and further cross examination of PW-1 (CSW-2) and hearing of bail petition filed for accused Badal Naskar.

Three accused persons namely Mithun Naskar, Tarun Naskar and Badal Naskar are produced from J/C through VC and representation filed by their Ld. Counsel.

Four accused persons namely Ratan Naskar, Sujan Naskar, Sannyasi Naskar and Panchanan Mondal are present by filing hazira.

Rest one accused person namely Lakkhi Naskar is present by filing hazira.

Ld. PP in charge namely Sri Dulal Chandra Dolai files hazira for the State along with hazira of PW-1 (CSW-2).

The case record is taken up for hearing of bail petition filed for accused Badal Naskar.

Heard both sides.

At the very outset, Ld. Defence Counsel submits that no bail petition in respect of this accused in connection with this case is pending before any upper forum. It is submitted that the accused is in J/C since 09.03.2023. It is further submitted that Section 302 of IPC has been added later and there was a scuffling in between the complainant and the accused due to which there is another counter case lodged. The co accused persons are on bail and the allegation is totally false. It is further added that initially the bail application in respect of this accused was rejected by Hon'ble High Court, Calcutta. Also there is no allegation of witness tampering against accused persons. That apart this accused is aged 67 years and is suffering from various ailments. Hence, is the prayer for bail of the accused.

Ld. P.P. in-charge opposes the bail petition and submits that Hon'ble High Court at Calcutta has been pleased to reject the bail petition of this accused after filing of charge sheet of this case. This accused entered into the house and assaulted the victim on the head, due to which there was serious head injury, resulting in death of the victim. It is further added that this accused is directly involved with the commission of offence and there is specific allegation against this accused. The statement of eye witness in CD show serious allegation against this accused.

Considering the materials on record as well as C.D., it is found that there is serious allegation against this accused. Also there is no medical document produced in respect of accused to show that he is suffering from various ailments. This Court at this stage is not inclined to release the accused on bail.

Accordingly, bail petition filed for accused Badal Naskar is rejected.

Return the C.D.

The case record is taken up for evidence.

PW-1 (CSW-2) is further cross examined in part and deferred on filing petition by Ld. Defence Counsel.

Fix 14.08.2025 for production of three accused persons from JC through VC, appearance of five accused persons on Court bail and further cross examination of PW-1 (CSW-2).

Prosecution to intimate the next date to witness.

Dict. & Corr. by me

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

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