

Sessions Case No. 28/2017

GR 2252/16 (GR 259/17)

Ref: Itahar P.S. Case no. 417/16 dated 15.10.2016

12/04.09.17

Accd. Abhisek Sarkar is produced from J/C.

Ld. PP is present with two witnesses.

The witnesses Mehebab Hussain Sarkar and Abdul Jabbar are examined in chief, cross examined as PW- 2 and 3 and discharged. Both witnesses have declared hostile by the prosecution. No other witness is present.

At this stage one bail petition is filed on behalf of the accused. Copy served upon Ld. PP. The bail petition is taken up for hearing.

Hd. Ld. Advocate for the accused, victim woman and the Ld. PP.

Ld. Advocate for the accused submits that the accused is in custody since 16.10.2016 and in such situation considering the period of long detention he may be granted bail.

On the other hand Ld. PP opposes the prayer for bail as vital witnesses have yet to be examined.

Considered their submission and the materials in record.

It is found that the accused is in custody for long period and 3 PWs have already been examined. No incriminating material has been surfaced yet from the independent witnesses. Moreover, considering the facts and circumstances and the period of long detention, the prayer for bail is allowed. Hence, it is

O r d e r e d

that the accused Abhisek Sarkar may find bail of Rs. 2000/- with two sureties of Rs. 1,000/- each subject to satisfaction of the Ld CJM, U/Dinajpur, id to J/C till 31.10.2017.

Fix 31.10.2017 for evidence of CSW no. 1,2 & 3,

01.11.2017 for evidence of CSW no. 7 & 9.

Accused must be present on the date fixed, if on bail.

Copy of this order be sent to Ld. C.J.M, Uttar Dinajpur for information and necessary action.

Dictd. & cortd.

S.J.

Sessions Judge,U/Dinajpur.

