

Sessions. 60/2024
WBUD01-001007-2024

(Ref: Kaliyaganj PS case no.539/2023 dt.24.12.2023)

Present:- Sri Partha Pratim Chakravorty(WB01277)
Sessions Judge, Uttar Dinajpur at Raiganj
05/01.04.2024

Out of three(3) accused persons accused **Mithun Sarkar** is present by filing hazira.

Accused **Bhramar Sarkar, and Amal Sarkar** are produced from J/C.

One bail petition is filed on behalf of accused **Amal Sarkar**. Let the same be kept with the record.

A petition of objection to the prayer for bail is filed along with Vokatnama from the end of the complainant by the representing Ld Advocate.

Both the Ld Chief PP and the Ld Advocate for the accused person are present.

Ld Advocate for the accused person at the very first instance ventilates the present stage of the case record which after being committed to this Ld Court by the Ld Court below is awaiting the commencement of trial. As per Ld Advocate for the accused person, the accused is languishing in custody since a long period of time and at this stage of the case record, no effective result will be attained by keeping this accused in further detention. With those submissions, Ld Advocate representing the accused person has prayed for enlargement of the accused person on bail under any stringent terms and conditions, the Ld Court deems fit and proper.

Ld Chief PP opposes the prayer for bail of the accused person and at the very first instant emphasized on the gravity of the allegations leveled against the accused of indulging him in a horrific incident which put an end to the life of the victim. More so, Ld Chief PP also ventilated that the documents that have evolved in the CD through the investigation process will squarely pinpoint the pro-active role played by the accused person in an omnibus manner in the commission of the alleged offence.

Ld Advocate representing the complainant vehemently opposes the prayer for bail of the accused person and by adopting the submissions advanced from the end of the prosecution envisages that the heinousness of the offence being committed in a barbaric manner thereby occasioning the death of the victim by electrocution, does not leave any room for the Ld Court to show any mercy to the accused person while adjudicating the bail prayer advanced from his end.

Heard the submissions advanced from all sides. Perused the materials that have surfaced in the CD through investigation process as well those present in the LCR being filed along with charge sheet.

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It is an admitted position that the accused is languishing behind the bars since a long period of time. On a meticulous appreciation of the contents of the CD and the LCR in a punctilious manner, I find that the documents that have come up in this case in a cumulative manner hints towards the presence of substantive materials against the accused person pertaining to the incident which occurred a horrendous manner and occasioned the death of the victim. So, I think that it will not be a prudent approach for the Ld Court to confer the benefit of bail to this accused person even at this stage of case record. Accordingly, prayer for bail in respect of accused **Amal Sarkar** stands **rejected**.

Fix 14.05.2024 for appearance, production and charge.

Both the accused **Bhramar Sarkar, and Amal Sarkar** be remanded to J/C till 14.05.2024.

Dictated & Corrected by me,

Sessions Judge,
Uttar Dinajpur at Raiganj.

Sessions Judge,
Uttar Dinajpur at Raiganj.

