

Sessions Case - 149 of 2022
CNR No. WBUD01-003859-2022
J.O Code-WB-00699

Order No.36
Dt. 02.06.2025

Record is put up today by filing a petition on behalf of the accused person namely Sahajahan Ali.

A bail petition is filed on behalf of the accused person abovenamed.

Ld. PP is present

Ld. LADCS for the accused person submitted that the accused person is innocent, he has been falsely implicated in this case and there is no chance of his absconding. He has no nexus with the alleged crime. He has been detained in custody since 18.09.2021. It is further submitted referring the decision of **Hon'ble Apex Court dated 07.02.2025** in the case of **Vihaan Kumar vs. State of Hariyana & another** and the decision of **Hon'ble High Court** that the grounds of arrest of the accused person was not informed to the accused person at the time of his arrest. There is no reflection in the Memo of Arrest and the forwarding report that the accused person was informed of the grounds for his arrest. It is prayed by the Ld. Lawyer for the defence that in view of the decision of Hon'ble Court the accused person may be enlarged on bail.

Ld. PP opposed the prayer for bail of the accused person.

Perused the entire materials on record from which it reveals that after framing of charge, out of 17 CS Witnesses only 07 witnesses have been examined on behalf of the prosecution. Charge has been framed against the accused person namely Sahajahan Ali under section 341/326/307/302/34 of IPC. On careful perusal of entire materials on record, I find from the forwarding report and Memo of Arrest that the reason of the arrest has not been communicated to the accused person. The charge of offence against the accused person are serious in nature. The accused person abovenamed is the principal accused having allegation of causing murder of the victim of this case

On careful perusal of evidence of prosecution witnesses and considering the gravity and nature of the alleged offence against the accused person, I am not inclined to enlarge the accused person namely Sahajahan Ali on bail.

Hence, bail prayer of the accused stands rejected.

Accused as before.

To date **(16.06.2025)** for production and evidence.

D/C by me

Addl. FTC 2nd In-Charge
Raiganj, Uttar Dinajpur

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