

Spl. Tr. 56/2026
C.I.S Reg. No. 56/2026
(J.O Code. WB 01301)

Order No. 02, dt. 09-07-2026:-

Today is fixed for hearing of the bail petition in presence of the de-facto complainant/victim.

Accused person, namely, Bidhan Chandra Maity surrenders before this Court and is taken into custody. A petition for bail is filed on his behalf by the Learned Advocate.

The Learned Advocate for the accused person and the Learned Special Public Prosecutor are present.

The bail petition is taken up for hearing in the presence of both sides. At the outset, the Learned Advocate for the accused, by way of affidavit, submits that no bail application is pending or has been rejected before any higher court in respect of the accused. The Learned Advocate further argues that, upon perusal of the record, no *prima-facie* case under the S.C. & S.T. (Prevention of Atrocities) Act, 1989 is made out against the accused and prays for bail on any terms and conditions.

The prosecution produces the victim before the Court today. The victim is heard with regard to the pending bail application and submits that he has no objection if the accused is enlarged on bail. The Learned Special Public Prosecutor draws the attention of the Court to page No. 21 of the Case Diary, wherein it is recorded that, in response to the notice issued under Section 94 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the de facto complainant stated that he does not possess any caste certificate and did not do so for any medical assistance. In view of the said materials available in the Case Diary, the Learned Special Public Prosecutor fairly leaves the matter to the discretion of the Court.

Heard both sides and perused the materials in the case-docket.

Regard being had to the facts and circumstances of the case, the nature and gravity of the allegations, the materials available in the Case Diary, the fact that the victim has raised no objection to the prayer for bail, and the submission of the Learned Special Public Prosecutor that the de-facto complainant does not possess any caste certificate, I am of the considered view that the custodial detention of the accused is not warranted at this stage. Accordingly, the prayer for bail is allowed.

Hence, the accused person be enlarged on bail upon furnishing bail bond of Rs.2,000/- with two registered sureties of Rs.1000/- each, to the satisfaction of the Learned Chief Judicial Magistrate, *Paschim Medinipur*, subject to the condition that the accused person shall meet the Investigating Officer once a week until completion of the investigation. The Learned C.J.M., *Paschim Medinipur*, is requested to issue the release order upon furnishing of bail bonds at once. The Learned C.J.M., *Paschim Medinipur*, is requested to issue the release order upon furnishing of bail bonds at once.

In terms of the direction of the Hon'ble Apex Court in its true spirit in SMWP (Criminal) no.4/2021, dated 31-01-2023, let a soft copy of this order be sent to the Secretary

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D.L.S.A, *Paschim Medinipur* vide Official Mail ID no. dlsamdn@gmail.com for abundant precaution.

Return CD.

If on bail, fix **29-09-2026** for I.O's report and appearance.

The present bail petition is disposed of. Let a copy of this order be sent to all concerned.

Dictated & corrected by me.

Sd/-

Addl. Sessions Judge,
1st Court, Paschim Medinipur.

Sd/-

Additional Sessions Judge,
1st Court, Paschim Medinipur.

Memo No.

Date:-

Copy forwarded to Ld. C.J.M., *Paschim Medinipur* for information and taking necessary action.

Addl. Sessions Judge,
1st Court, Paschim Medinipur