

SC & ST Case No- 04/2022

J.O Code:- WB1427 CNR No. WB WM06-000575-2022 (Reg. No. 7/2022)

Order No. 14
dated- 14.09.2022

A part record is received from Ld. Judicial Magistrate, Jhargram along with two sealed envelope containing specimen handwriting of the accused persons and signature of the victim lady.

Let it be kept with the record.

To date 19.09.2022

Dict. & Cort. by me.

A.S.J. 1st Court, Jhargram

A.S.J. 1st Court, Jhargram.

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, 1ST COURT JHARGRAM.

SC & ST Case No- 12/2022.

Ref:- Jhargram Women P.S. Case No. 54/2022 dt. 28.07.2022
U/s 376/511 I.P.C and Sections 3 (w)(i) of SC & ST (POA) Act.

J.O Code:- WB1427 CNR No. WB WM06-000709-2022

Later

dt. 29.07.2022

Received part record including the order sheet of Ld. Judicial Magistrate, Jhargram along with the statement of the victim lady recorded u/s 164 Cr. P.C in a closed envelope.

Let the same be kept with the record.

At this stage the Investigating Officer of this case, praying for supplying him copy of the statement of the victim lady recorded u/s 164 Cr. P.C.

Perused the prayer of the I/O.

The prayer of the I/O is hereby allowed for the interest of investigation.

Let the copy of statement be supplied to the I.O concerned with a direction that content of such statement should not be disclosed to any person.

At this stage received two seizure lists dt. 29.07.2022. Perused the documents. Let it be kept with the record.

At this stage I/O submitted a prayer for issuing search warrant in respect of the place of occurrence on the ground that the place of occurrence is kept under lock and key and for the purpose of investigation the main place of occurrence i.e the **“Dental Care”, the Dental Chamber of Dr. Subhadip Kundu, Raghunathpur (behind the SBI Jhargram) PS+Dist - Jhargram** is required to be searched thoroughly including for the purpose of drawing rough sketch map.

Heard Ld. P.P. in-charge Sri Prabir Pal. Considered.

Upon perusal of the prayer of the I/O as well as hearing submission of the Ld. P.P. in-charge, I am of the opinion that a search warrant is required to be issued for proper investigation of this case.

Accordingly, let a search warrant be issued in respect of the Dental Chamber of Dr. Subhadip Kundu as mentioned in the prayer of the I/O only.

I/O is directed to serve notice upon the custodian of the Dental Chamber of Dr. Subhadip Kundu before the commencement of search notifying them regarding the cause of search and for the purpose of providing them sufficient opportunity to cooperate with the investigation.

I/O is further directed to cause search of the above mentioned place in presence of the custodian of the Dental Chamber of Dr. Subhadip Kundu and also in presence of two respectable persons of the locality. It is further directed that the entire process of search should be videographed by the I/O from the inception and till end.

Let a copy of this order be sent to I/O of this case for his information and compliance.

To date (29.08.2022) for appearance and I/O's report.

Sd./- Plaban Mukherjee

A.S.J. 1st Court, Jhargram

Office of the Additional District & Sessions Judge, 1st Court, Jhargram.

No..... Dt., Jhargram 2022

Copy of this order forwarded to the I/O of this case.

A.S.J. 1st Court, Jhargram.

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, 1ST COURT JHARGRAM.

SC & ST Case No- 12/2022.

Ref:- Jhargram Women P.S. Case No. 54/2022 dt. 28.07.2022

U/s 376/511 I.P.C and Sections 3 (w)(i) of SC & ST (POA) Act.

J.O Code:- WB1427 CNR No. WB WM06-000709-2022

**Order No. 5.
dt. 22.08.2022**

The case record is placed before this court today on the basis of a put up petition filed by the Ld. Advocate Sri Tapan Chowdhury by filing his vokalatnama on behalf of accused person, namely, Subhadip Kundu.

Another petition is filed showing surrender of the accused person before this court on the ground stated therein.

Ld. P.P. in-charge Sri Prabir Pal as well as Ld. Defence counsel Sri Tapan Chowdhury are present today.

Copy served upon the Ld. P.P. in-charge.

Heard both sides. Considered. Put up petition is allowed.

The accused person, namely, Subhadip Kundu is surrendered before this court. He is taken into custody and remanded to J.C till next date.

At this stage one bail petition is filed by the Ld. Advocate on behalf of the accused person. Copy served upon the Ld. P.P. in-charge who is present.

Now the bail petition is taken up for hearing.

Ld. Advocate submitted that all allegations are false and concocted as mentioned in the written complaint. It is further submitted that the accused person is a Dentist practicing at Jhargram town and he has his family here, so there is no chance of his abscondance. It is further submitted that the parents of the accused petitioner have been suffering from various ailments and he has his sucking baby and there is no one to look after them. In support of his submission Ld. Advocate files a copy of bunch of medical documents showing treatment of his parents. Let these documents be kept with the record.

Ld. P.P. in-charge raised vehement objection against the bail prayer of the accused petitioner.

Upon perusal of the case record, the bail petition it appears that the victim lady of this case has instituted the present case against the accused petitioner on 28.07.2022 and her statement was recorded u/s 164 Cr. P.C. Perused the bail petition, written complaint and comparing the same with the statement victim lady recored u/s 164 Cr. P.C., it appears that distinct allegations are surfaced against the accused/petitioner indicating prima facie incriminating materials and investigation is still pending.

Considering the above facts and circumstances and nature of allegation, I am not inclined to allow the bail prayer in respect of the accused petitioner.

Accordingly the bail petition in respect of the accused petitioner stands rejected at this stage.

Hence the bail petition dt. 22.08.2022 is thus disposed of.

To date (29.08.2022) for production and I/O's report.

Call for C.D on the next date fixed.

Let a copy of this order be sent the I/O of this case for his information.

Sd./- Plaban Mukherjee

A.S.J. 1st Court, Jhargram

Office of the Additional District & Sessions Judge, 1st Court, Jhargram.

No..... Dt., Jhargram 2022

Copy of this order forwarded to the I/O of this case.

A.S.J. 1st Court, Jhargram.