

ORDER BELOW EXH. 271 IN SESSIONS CASE NO.38 OF 2009.

(1) This is an application dated 10-11-2011 submitted by Deputy Superintendent of Central Jail, Ahmedabad requesting to pass necessary orders for the production of accused (1) Imran Ahemad Alias Raja S/o. Siraj Ahmed, (2) Atiq alias Atiqurrehman S/o. Abdul Hakim & (3) Mehendi Hasan S/o. Abdul Habib before the Hon'ble Court of ADJ (FT) No. 1, Jaipur City, Rajasthan dated 29.11.2011.

(2) Facts of the Application.

2.1 It is stated that the accused (1) Imran Ahemad Alias Raja S/o. Siraj Ahmed, (2) Atiq alias Atiqurrehman S/o. Abdul Hakim & (3) Mehendi Hasan S/o. Abdul Habib are at present in the Central Jail, Ahmedabad in Judicial custody in the case No. 38 / 09 (Serial Bomb blast.

2.2 The another case bearing FIR NO 15/08 PS SOG Jaipur U/s. 3(A), 120B of IPC & U/s. 3, 10, 13, 17, 18 of Anti Law Activities Act is pending before the Hon'ble Court of ADJ (FT) No. 1, Jaipur City, Rajasthan. The accused is required to be produced before the said Court on 29-11-2011.

(3) A Xerox copy of the fax message dated 10.11.2011 sent by the Central Jail, Jaipur is attached with the application which is marked as at Ex. 271/1. Wherein it is stated as under :

“Make necessary arrangement to produce the accused (1) Imran Ahemad Alias Raja S/o. Siraj Ahmed, (2) Atiq alias Atiqurrehman S/o. Abdul Hakim & (3) Mehendi Hasan S/o. Abdul Habib before Court of ADJ (FT) No. 1, Jaipur City on 29.11.2011 FIR NO 15/08 PS SOG Jaipur U/s. 3(A), 120B of IPC & U/s. 3, 10, 13, 17, 18 of Anti Law Activities Act stop as they are wanted by this jail in undertrial cases, so do not release at your ends stop”

On perusing the said fax message, it transpires that the purpose of production of the accused before the Court of ADJ (FT) No. 1, Jaipur City, Rajasthan is not specifically stated. The stage of the case is also not disclosed.

(4) It is stated in the application that the Government of Gujarat had passed order u/s. 268 of the Criminal Procedure Code that in the public interest, the accused 62 in number of the serial bomb blast shall not be

removed from the Central Prison, Ahmedabad and name of the present accused are included in the above 62 accused.

Considering the facts and circumstances of the case and interest of justice following order is passed :

ORDER

The present application is rejected.

Jail Superintendent, Central Jail, Ahmedabad is directed and ordered to ensure as to what purpose the accused are required to be produced before the Court of ADJ (FT) No. 1, Jaipur City, Rajasthan and to find out whether the Video Conferencing facility is available at the Court situated at Jaipur city, Rajasthan or not. If it is found, the accused be produced through Video Conferencing. The request may be made to the concerned Court accordingly.

Yadi be sent to the Jail Superintendent, Central Jail, Ahmedabad.

Pronounced in the open Court, to-day on 14th November, 2011.

Date : 14/11/2011

(V. P. Patel)
Special Judge,
Designated Court for conducting
Bomb blast cases, Ahmedabad.