

In the Court of Additional Sessions Judge, 1st Court, Bankura and Judge, Special Court under the Prevention of Corruption Act

Present: Smt. M. Karmakar, Judge, Special Court under the Prevention of Corruption Act cum ASJ, 1th Court, Bankura
Special Case: 39 of 2021 (Reg 39/21)
CNR No. WBBK01-002142-2021

Order No. 21,
01.06.2022

Out of 3 accused persons 2 accused persons namely, Dilip Kumar Gorai and Ram Sankar Mahanty @ Khokan are produced from J/C.

Rest one accused Shyama Prasad Mukherjee has not been produced before the Court. One report of Superintendent of Presidency Correctional Home, Alipur, Kolkata dated 19.05.2022 along with medical report in respect of the accused- Shyama Prasad Mukherjee is filed.

Another report of Superintendent of Presidency Correctional Home, Alipur, Kolkata dated 31.05.2022 along with medical certificate(unfit to attend the court) in respect of the accused- Shyama Prasad Mukherjee is filed. It is stated in the said report that the accused-Shyama Prasad Mukherjee is presently admitted in the hospital of Presidency Correctional Home and he is not fit for production as per advice of medical officer of the Correctional Home. It is also stated in the said report that the Correctional Home has a good facility of video conference for production of the accused virtually from the Correctional Home.

Today, is fixed for hearing/consideration of the petition/petitions U/S 207 of the Cr.P.C. and supply of copy of document as well as inspection of voluminous document.

Heard both sides in respect of the petitions U/S 207 of the Cr.P.C.

At this stage one petition is filed by Ld. Advocate representing the accused-Shyama Prasad Mukherjee praying for supply of the documents mentioned in the petition.

Heard. Considered. Prayer is allowed.

Ld. P.P has filed a petition praying for fixing another date for supply of documents and inspection of voluminous document.

Heard. Considered. Time prayer is allowed.

Today, is also fixed for report from Bank Manager of Bishnupur Town Co-operative bank, Bishnupur branch.

One petition is filed by Ld. P.P praying for time for filing bank report from Bank Manager of Bishnupur Town Co-operative bank, Bishnupur branch.

Heard. Considered. Time prayer is allowed.

Contd.....

... Continued Order No. 21, dated 01.06.2022,

One bail petition is filed on behalf of one accused-Shyama Prasad Mukherjee.

The bail petition is taken up for hearing.

Ld. Advocate for the accused-Shyama Prasad Mukherjee moves the bail petition and prays for release of the accused on the grounds *inter alia* that the accused has been falsely implicated in this case, he has different ailments, C.S has been submitted and there is no possibility of his abscondence.

Ld. P.P has raised strong objection in granting bail of the accused person on the ground that the bail prayer of the accused has already been rejected by the Hon'ble High Court, Calcutta.

Perused the case record. C.S has been submitted against the accused persons for offence punishable U/S 420/ 406 /409/ 465/ 467/ 468/ 471/ 120B of the IPC. Enormous materials are available against the present accused person which does not justify release of the accused person.

Having considered the entire aspects including the materials having been transpired in the case record and in the C.D and also considering the submission of the Ld. Advocates for the both sides, I am not inclined to enlarge the accused person on bail. Hence, prayer for bail stands rejected.

Fix 04-06-2022 for supply of copy of documents and inspection of voluminous documents.

Fix 14-06-2022 for

1. Production of all the accused persons.
2. Report from Bank Manager of Bishnupur Town Co-operative bank, Bishnupur branch.

Let a copy of this order be sent to the Superintendent of Bankura District Correctional Home, Bankura with a direction to transmit the copy of order to the Superintendent of Presidency Correctional Home, Alipur, Kolkata for compliance.

Let a copy of this order be sent to Abhijit Bhattacharyya, Dy. SP DEB, Bankura, I.O of this case.

Dictated & Corrected

Sd/-

ASJ, 1st Court, Bankura

Sd/-

Judge, Special Court
{Under Prevention of Corruption Act}

Cum
Additional Sessions Judge
1st Court, Bankura