

**S.C. 83 of 2021**  
**CNR. no. WBBK090002212021**

Order No-06  
Dated -18.01.2023

Record is put up today on the strength of put up petition filed on behalf of the accused person namely, Nur Uddin Middy.

Considering the urgency of matter, the said put up petition is allowed.

One surrender petition is filed on behalf of the above said accused person.

Ld. Advocate for the accused person is present.

Ld. Public Prosecutor In-charge of this case is present.

Ld. Advocate for the accused person has submitted that due to illness, diary mistakes and miscommunication of next date, the above said accused person has not appeared on previous date i.e. on 02.08.2022 and due to that reason warrant of arrest was issued. He prays for permitting the above named accused person to surrender before this Court.

Ld. Public Prosecutor In-charge of this case has not objected this petition filed on behalf of the above said accused person.

Considering that warrant of arrest was issued against above said accused person, I am of the view that it will be justified to allow the surrender petition of the above said accused person. This accused person is taken into custody and remanded to J/C till 24.01.2023.

One bail petition is filed on behalf of the accused person.

Ld. Advocate for the above said accused person submitted that this accused persons was already on bail and his absence on the previous date was not intentional. He prays for enlarging this accused person on bail on any conditions.

Ld. Public Prosecutor In-charge of this case has vehemently opposed the bail prayer of this accused person, and submitted that this accused person is habitual absentee and due to his absence the trial of this case is delayed. He prays for rejecting the bail prayer of this accused person.

I have heard the submissions of the Ld. Advocate for the accused person and Ld. Public Prosecutor In-charge of this case and perused the records. From the records, it is revealed that this accused person was enlarged on bail on 06.07.2021 by the Ld. A.C.J.M, Khatra, but because of the misuse of liberty warrant of arrest was issued against this accused person on 02.08.2022. Considering that this accused person was already on bail and this absence on the previous date was not intentional, I am of the view that it will be justified to enlarge the above said accused person on bail on following conditions:

- 1) Accused person will not intimidate or influence any of the witnesses of this case.
- 2) Accused person will appear in each and every proceeding of the case.

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3) Accused person namely Nur Uddin Middy will furnish bail bond of sum of Rs. 1000/- with two registered sureties of Rs. 500/- each to the satisfaction of Ld. A.C.J.M, Khatra.

To date (25.01.2023) for production/ appearance of the accused person, appearance of the accused persons on Court bail and consideration of charge.

Let the copy of this order be sent to the Ld. A.C.J.M., Khatra for information and necessary action.

Dictated and Corrected by me ,

Additional Sessions Judge ,  
Khatra, Bankura

Additional Sessions Judge ,  
Khatra, Bankura  
J.O. Code WB01399