

SESSIONS CASE NO.09 OF 2024
CNR NO.WBCS01-000143-2024
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order no.08 dated 21.08.2024

To-day is fixed for appearance of all the accused persons positively and consideration of charge.

The accused persons namely 2) Md. Kurban, 3) Munna Sahani, 4) Md. Jilani, 5) Md. Parvez, 6) Md. Tanvir, 7) Md. Kashim, 8) Akbar Mirza and 9) Abdul Sattar on Court Bail are present in Court by filing hazira.

The accused person no.1) Razi Ahmed on Court bail is found absent on calls.

Ld. Counsel for the above named accused persons is present.

Ld. P. Ps.-in-charge are present.

A petition has been filed on behalf of the accused person no.1) Razi Ahmed stating that the accused person could not attend Court today and therefore it is prayed for condoning absence of this accused person with a further prayer for an adjournment.

Ld. Counsel for the accused person namely 1) Razi Ahmed submits that the accused person is absent today due to his illness and therefore he prays for condoning the absence of the accused no.1) Razi Ahmed.

Ld. P.P.-in-charge submits that he is ready for charge hearing and further submits that this Court allowed the prayer for adjournment on the last occasion as a last chance with a direction upon all the accused persons to remain present before this Court on the next date fixed positively.

Ld. P.P.-in-charge further submits that this Court directed all the accused persons to remain present before this Court today and no adjournment would be granted today and so he prays for issuance of warrant of arrest against the accused person namely 1) Razi Ahmed.

Heard both sides.

On perusal of the case record it transpires that the accused person namely 1) Razi Ahmed was found absent on 24.06.2024 and 25.07.2024 and this Court directed the accused person namely 1) Razi Ahmed to remain present before this Court today positively, but the accused person namely 1) Razi Ahmed does not bother to comply with this Court's orders and moreover no medical papers showing illness of the accused person namely 1) Razi Ahmed has been filed.

This Court also finds that charge could not be framed against the accused persons in absence of the accused person namely Razi Ahmed.

In view of above fact, cancel the bail bond in respect of the accused person namely 1) Razi Ahmed.

Issue Warrant of Arrest against the accused person namely 1) Razi Ahmed and start proceedings against the sureties u/s 446 of the Cr.P.C.

Office is directed to issue warrant of arrest against the accused person namely 1) Razi Ahmed.

Ld. Additional Chief Judicial Magistrate, Calcutta is hereby directed to start proceedings against the sureties u/s 446 of the Cr.P.C.

A petition u/s 227/228 of Cr. P.C. has been filed on behalf of all the accused persons namely 1) Razi Ahmed, 2) Md. Kurban, 3) Munna Sahani, 4) Md. Jilani, 5) Md. Parvez, 6) Md. Tanvir, 7) Md. Kashim, 8) Akbar Mirza and 9) Abdul Sattar praying for discharging the accused/petitioners from the instant case on the ground stated therein.

Copy served as per the endorsement.

Let the same be kept with the record.

Fix **19.09.2024** for appearance of the accused person nos.2 to 9, E/R of Warrant of arrest against the accused person namely 1) Razi Ahmed and submission of report with regarding to starting proceedings against the sureties u/s 446 of the Cr.P.C.

The accused person nos. 2 to 9 on Court bail are as before.

Let a copy of this order be sent to the Ld. Additional Chief Metropolitan Magistrate, Calcutta for information and necessary action.

Let a copy of this order be sent to the I.O. of this case through concerned O/C for information and necessary action.

D/C by me.

Sd./-

Chief Judge
City Sessions Court, Calcutta

Chief Judge
City Sessions Court, Calcutta

