

**SESSIONS CASE NO.128 OF 2013**

**Order No. 30 dated 02.8.14.**

P.O is on leave on duty this day.

Out of 09 accused persons on bail 02 accused persons namely (1) Subash Tamang and (2) Sudesh Rai Majhi are present by filing hazira while 07 accused persons namely (3) Ashish Tamang (4) Dipen Malley (5) Sunil Rai (6) Tilak Rai (7) Prashant Chettri @ Yogen Rai, (8) Puran Rai and (9) Babita Ganguli, @ Satong are absent by a petition and represented by their Advocate under section 317 Cr.P.C.

18 accused persons namely 1) Kamal Sinha, 2) Pravin Subba, 3) Sanjoy Tamang, 4) Naresh Rai, 5) Suraj Singh, 6) Arun Moktan @ Tamang, 7) Amol Lama, 8) Sona Sherpa, 9) Dawa Sange Sherpa, 10) Nagendra Pradhan @ Nagen, 11) Keshar Rai, 12) Bhanu Rai, 13) Alok Kanta Mani Thulung @ Rai, 14) Kismat Chettri, 15) Puran Thami, 16) Tenzing Khambachey, 17) Keshab Raj Pokhrel and 18) Dinesh Gurung @ Karate Kaila are produced from J.C.

Ld. Advocate for the accused persons as well as Ld. Special P.P representing the prosecution/ C.B.I are also present.

One hazira is filed on behalf of the widow of the deceased.

One petition for bail has been filed on behalf of five accused persons namely 1) Alok Kantamani Thulung, 2) Puran Thami, 3) Keshab Raj Pokhrel, 4) Kismat Chettri and 5) Dinesh Gurung @ Karate Kaila and another petition for bail has been filed for accused Nagendra Pradhan @ Nagen.

It is submitted by the Ld. Advocate for all the six accused persons that they were previously enlarged on bail by the Ld. Sessions Judge, Darjeeling, which was canceled by the Hon'ble High Court, Calcutta. Ultimately the Hon'ble Apex Court directed to hear the petition afresh by the trial court. Bail petition filed lastly on 11.4.14 had been rejected.

Comprehensive report as per direction of the Hon'ble Apex Court has not yet been submitted. Investigation is still under progress

Ld. Special P.P raised objection against the prayer for bail.

Considering the nature and gravity of the offence, I am not inclined to grant bail to the accused persons at this stage.

Hence, the prayer for bail stands rejected.

Accused persons in custody are remanded to J.C till 16.8.14 and they will be produced before this court on that date.

Accused persons on bail as before.

To date also for submission of comprehensive report by the prosecution.

Today one another petition has been filed on behalf of the prosecution for abating the case against Sangey Yalmo on the ground that he passed away on 12.5.14.

Put up before the regular court for hearing and passing necessary order.

D/C. by me

Chief Judge in charge.  
City Sessions Court, Calcutta.

Chief Judge in charge  
City Sessions Court, Calcutta.



