

SESSIONS CASE NO 128 OF 2013

Order no 128 dated 24.04.2018

Today is fixed for production of the accused person namely Devendra Sharma and Pemba Tshering Ola, awaiting further order from the Hon'ble Apex Court and report.

Ld. P.P. is present and hazira filed in that regard.

Accused persons namely (01) Devendra Sharma and (02) Pemba Tshering Ola are not produced from judicial custody from the Siliguri Correctional Home in terms of order no 124 dated 20.03.2018 passed by this court.

One report regarding the same is received from the Superintendent, Siliguri Correctional Home through Telemax.

Seen the same.

Let the same be kept with the case record.

Superintendent, Siliguri Correctional Home is directed to take steps for production of the accused persons namely (01) Devendra Sharma and (02) Pemba Tshering Ola on the date fixed.

Accused persons namely 1. Subhash Tamang 2. Prashant Chhetri @ Yogen Rai 3. Asish Tamang 4. Sudesh Rai Majhi 5. Sunil Rai 6. Tilak Rai 7. Dipen Malay 08. Arun Moktan 09. Sanjay Tamang 10. Bhanu Rai 11. Kamal Singha 12. Dawa Sangey Sherpa 13. Suraj Singh 14. Amol Lama 15. Prabin Subba 16. Goutam Tamang 17. Ruden Sada Lepcha 18. Edwin Sanchabir Subba 19. Khagen Tamang 20. Ranjit Rai 21. Alok Kanta Mani Thulung @ Rai 22. Kesav Raj Pokhrel 23. Puran Thami 24. Kismat Chhetri 25. Dinesh Gurung @ Karate Kaila 26. Tenzing Khambache 27. Naresh Rai 28. Nagendra Pradhan 29. Kesar Rai 30. Binoy Tamang 31. Col. Ramesh Aley 32. Dinesh Theeng 33. Asha Gurung 34. Sushma Rai 35. Sandhya Gurung 36. Urmila Rumba 37. Anita Lakhandri 38. Kabita Dahal 39. Babita Ganguly 40. Sona Sherpa 41. Roshan Giri 42. Jiten Tamang 43. Pradeep @ Bhupendra Pradhan 44. Harka Bahadur Chettri and 45. Rabin Subba on court bail are absent on calls.

Ld. advocates for the above named 45 (Forty- five) accused persons have filed four separate petitions seeking permission to represent the above named accused persons u/s 317 Cr. P. C.

Heard. Considered.

Prayer is allowed.

All the above named 45 (Forty five) accused persons are hereby permitted to be represented u/s 317 Cr.P.C. by their respective ld. advocates.

No report in terms of order no 118 dated 10.01.2018 passed by this court is received from the Executive Engineer, IT Division, PWD, Kolkata.

Accordingly, issue reminder.

Perused the case record.

Continued.....

Continued order no 128 dated 24.04.2018

One copy of order dated 06.04.2018 passed by the Hon'ble Supreme Court of India in connection with Writ Petition (Crl) No (S) 159 of 2012 with Special Leave to Appeal (CRL) no. 9541-9546 of 2017 (II-B) received from the Hon'ble Supreme Court, Calcutta vide memo no D. No. 5401/2012/X dated 09.04.2018.

Perused the order of the Hon'ble Supreme Court of India wherein the Hon'ble Court has been pleased to pass an order that **“List after two weeks. Interim order shall continue to operate for a period of three months from today.”**

Let the same be kept with the record.

Fix **01.06.2018** for production of the accused person namely Devendra Sharma and Pemba Tshering Ola, awaiting further order from the Hon'ble Apex Court and report.

Let a copy of this order sheet be sent to the Executive Engineer, IT Division, PWD, Kolkata for information and necessary action.

Let a copy of this order be sent to the Superintendent, Siliguri Correctional Home for information and necessary action.

D/C by me

Chief Judge
City Sessions Court
Calcutta.

Chief Judge
City Sessions Court
Calcutta