

Sessions Case no. 12 of 2020
CNR-WBCS01-000290-2020
Present: Sri Sukumar Ray
J.O. CODE NO.WB00590
Chief Judge,
City Sessions Court, Calcutta

Order no. 147 dated 06.02.2026

1. Today is fixed for appearance and production of the accused persons, further examination of PW-3, hearing of the petition dated 15.01.2026 filed on behalf of accused person no. A-7, hearing of the petition dated 15.01.2026 filed on behalf of the accused person nos. A-11, A-12 & A-13 and written objection, if any, in the meantime.
2. Accused persons, namely, Abdul Matin, Sk Rejaul @ Kiran @ Rutu, Manirul Islam and Abdul Majed, on court bail, are present by filing hazira.
3. Accused persons, namely, Dilwar Hossain @ Umar @ Nurul @ Ali Hassan, Jahidul Islam @ Kausar @ Boma Mijan, Musatafijur Rahaman @ Tuhin @ Sahin @ Shakil, Abdul Karim @ Karim Sk @ Iqbal, Adil Sk @ Abdullah @ Asadullah @ Ajit Sk, are produced before this court physically from J/C.
4. Ld. Special Public Prosecutor or the State and Ld. Advocates for the accused are present today.
5. PW-3 Sukanta Das is present.
6. PW-3 is examined in chief by the Ld. Special Public Prosecutor in part.
7. Examination in chief of PW-3 is deferred on prayer of the Ld. Special Public Prosecutor.
8. During the course of examination, the seizure list dated 09.02.2018 is marked as Exhibit P-7/PW3 collectively (With objection).
9. As per Gazette Notification dated 15.07.2022, the certified true copies of the deposition of PW-3 dated 06.02.2026 is handed over to all sides after obtaining endorsement in the relevant register.
10. Fix **05.03.2026** for appearance and production of the accused persons, examination of PW-3.
11. Reissue summons accordingly and hearing of the petition dated 15.01.2026 filed on behalf of the accused person nos. A-11, A-12 & A-13 and written objection, if any, in the meantime.
12. Accused persons, namely, Jahidul Islam @ Kausar @ Boma Mijan, Musatafijur Rahaman @ Tuhin @ Sahin @ Shakil, Abdul Karim @ Karim Sk @ Iqbal, Adil Sk @ Abdullah @ Asadullah @ Ajit Sk, be remanded to J/C till 05.03.2026.
13. Accused persons, on bail, are as before.
14. Let a copy of this order be sent to the Superintendent, Presidency Correctional Home for information and compliance.

Dictated & corrected by me,

Sd/-
Chief Judge
City Sessions Court, Calcutta.

Sd/-
Chief Judge
City Sessions Court, Calcutta.

Later order dated 06.02.2026

1. It is now 01:45 pm.
2. Now, the record is taken up for hearing of the petition dated 15.01.2026 filed on behalf of accused person Dilwar Hossain @ Umar @ Nurul @ Ali Hassan praying for pleading guilty for the offence.
3. Accused Dilwar Hossain @ Umar @ Nurul @ Ali Hassan is produced.
4. Ld. Special Public Prosecutor or the State and Ld. Advocate for the accused are present.
5. Accused person Dilwar Hossain @ Umar @ Nurul @ Ali Hassan prays for acceptance of plea of guilt and for imposition of minimum prescribed punishment.
6. The brief facts constituting the offences against this accused person is as follows:
on or before 02.02.2018, being the member of banned terrorist organization, namely, JMB, within India or outside India, conspired to launch terrorist attack on the Buddhist religious leaders, such as Dalai Lama at Buddha Gaya Monasteries, and other communities or wage war against Government of India, Government of Bangladesh and Government of Myanmar for taking vengeance against the oppression inflicted upon Rohingya Muslims by the Myanmar Government troops by means of criminal force or show of force or collecting of explosives, its substances, detonators, materials to prepare IED and other incriminating articles such as books, papers and also conspired with others to commit, attempt to commit, advocate, abet, knowingly facilitate a terrorist act or any preparatory to commission of a terrorist act and also involved in terrorist activities which exposed him for a prosecution for offence punishable under Sections 121A/120B of the Indian Penal Code, Sections 4/5 of the Explosive Substances Act and Sections 18/20 of the Unlawful Activities (Prevention) Act.
7. Accused Dilwar Hossain @ Umar @ Nurul @ Ali Hassan is called on dock.
8. This Court, once again, explained the consequence of his pleading guilty over the charges framed against him.
9. On being asked the accused person is found stuck on his earlier point and submits, with folded hands, that he is repentant for violating the Laws of the land and prays for acceptance of his plea of guilt.
10. On a protracted interaction with the accused person, this Court is satisfied that this accused person voluntarily wants to plead his guilt and in an unambiguous manner.
11. This being the position this Court finds no impediment to accept the plea of guilt of the accused person, namely, Dilwar Hossain @ Umar @ Nurul @ Ali Hassan, in terms of Section 229 of the Code of Criminal Procedure.
12. Heard learned Lawyer for the accused and the Ld. Special Public Prosecutor representing the State.
13. Both of them submit, in an unequivocal manner, that since the accused is repenting for his crime and admits his guilt, he may be convicted accordingly.
14. It appears from the record that charge of this case was framed and since this accused had pleaded not guilty the trial was commenced. Here, we can fruitfully refer to a decision of Hon'ble Apex Court made in **State of Maharashtra Versus Sukhdeo Singh & another, reported in 1992 SCC (Cri) 705** wherein the Hon'ble Court has been pleased to observe that- "*there is nothing in chapter VIII of Code of Criminal Procedure which prevents an accused from pleading guilty at any subsequent stage of trial after framing of charge but the Court must act with caution and*

circumspection before accepting and acting on the plea of guilt and the plea must be clear, unambiguous and unqualified and the Court must be satisfied that the accused has understood the nature of the allegation made against him and admits them”.

15. The above legal position was reiterated in **Shnehalata Mondal Versus State of WB, (2008) 1 CALT 297 (HC)**.
16. Having heard both the sides and abiding by the prudence and circumspection, this Court accepts the plea of guilt of the accused person, namely, Dilwar Hossain @ Umar @ Nurul @ Ali Hassan, and accordingly, found him guilty for the offence punishable under Sections 121A/120B of the Indian Penal Code, Sections 4/5 of the Explosive Substances Act and Sections 18/20 of the Unlawful Activities (Prevention) Act and passes the following order –
17. Accordingly, it is

ORDERED ;

that accused person, namely, Dilwar Hossain @ Umar @ Nurul @ Ali Hassan, is found guilty for the offence punishable under Sections **121A/120B** of the Indian Penal Code, Sections **4/5** of the Explosive Substances Act and Sections **18/20** of the Unlawful Activities (Prevention) Act and accordingly, he is convicted.

18. The convict, namely, **Dilwar Hossain @ Umar @ Nurul @ Ali Hassan**, is remanded to J.C with a direction to be produced on **09.02.2026** for hearing on the point of sentence.
19. Superintendent, Presidency Correctional Home is directed to keep the convict in segregation cell and produced before this Court on 09.02.2026 positively at 10:30 a.m.
20. Let a copy of this order be sent to the Superintendent, Presidency Correctional Home for information and necessary compliance.

Dictated & corrected by me,

Sd/-
Chief Judge
City Sessions Court, Calcutta.

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Chief Judge
City Sessions Court, Calcutta.