

S.T. NO.02 (07) OF 2022
SESSIONS CASE NO.12 OF 2020
(CNR - WBCS01-000290-2020)
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order No.90 dated 13.10.2023

To-day is fixed for production of the accused persons and appearance of the accused persons and hearing of the petition u/s 227 of Cr. P.C. dated 18.09.2023 filed on behalf of the accused nos.(A-11), (A-12) and (A-13) praying for discharging the accused/petitioner nos.(A-11), (A-12) and (A-13) from the ambit of section of 14 A(b) of Foreigners' Act.

The accused person nos.(A-2), (A-3), (A-4), (A-7), (A-10), (A-11), (A-12) and (A-13) are produced before this Court from J.C.

The accused person nos.(A-8), (A-15) and (A-20) on Court Bail are found present before this Court and hazira has been filed on their own behalf.

The accused person no.(A-14) Abdul Matin on Court bail is found absent on calls.

One petition has been filed on behalf of the accused person no.(A-14) praying for representation of the accused u/s 317 of Cr. P.C. through Ld. Advocate on the ground of illness of the accused person.

Ld. Advocates for the accused persons are present.

Ld. Special P. P.-in-charge is present.

Heard both sides.

The accused no.(A-14) Abdul Matin is allowed to be represented u/s 317 of Cr. P.C. through Ld. Advocate with a direction to be present on the next date fixed.

One written objection against the petition u/s 227 of Cr. P.C. dated 18.09.2023 filed on behalf of the accused nos.(A-11), (A-12) and (A-13) is filed on behalf of the Prosecution.

Let the same be kept with the record.

The petition u/s 227 of Cr. P.C. dated 18.09.2023 filed on behalf of the accused nos.(A-11), (A-12) and (A-13) praying for discharging the accused/petitioner nos.(A-11), (A-12) and (A-13) from the ambit of section of 14 A(b) of Foreigners' Act is taken up for hearing together with the written objection filed today on behalf of the Prosecution.

Heard in part.

At this stage, a petition has been filed on behalf of the Prosecution praying for time to produce C.D. on the ground stated therein.

No objection is raised to the prayer of time.

Prayer for time is considered and allowed.

Continued....

Continued order no.90 dated 13.10.2023

Received one medical report in respect the accused no.(A-7) Dilwar Hossain @ Umar @ Nurul @ Ali Hassan along with one forwarding letter from the Superintendent of Presidency Correctional Home communicated vide office letter no.12736/IMB dated 12.10.2023 in terms of order no.89 dated 09.10.2023 passed by this Court.

Perused the same and let the same be kept with the record.

On behalf of the accused no.(A-7) Dilwar Hossain @ Umar @ Nurul @ Ali Hassan, Ld. Advocates files a petition stating that the accused/petitioner has been suffering from testicle pain and for that reason the Jail Hospital and the Hospital outside of Jail have prescribed only Paracetamol and painkiller tablets and no X-ray or USG has yet been done by both the Hospitals and the accused/petitioner might need surgery and therefore it is prayed for passing necessary direction upon the concerned Correctional Home Authority to provide proper medical treatment to the accused/petitioner.

On being enquired by this Court, the Accused Dilwar Hossain @ Umar @ Nurul @ Ali Hassan submits that his pain has increased in the lower abdomen region and for which he is in severe discomfort and prays for passing necessary orders for his proper medical treatment.

Heard both sides.

In view of the above, the Superintendent of Presidency Correctional Home is to ensure continuous medical treatment of the accused/petitioner as per prescription of the Medical Officer and the SSKM Hospital, if required and then a report regarding treatment provided to the accused person be submitted by the next date fixed positively.

On submission of both sides, fix **20.11.2023** for production of the accused persons and appearance of the accused persons and further hearing of the petition u/s 227 of Cr. P.C. dated 18.09.2023 filed on behalf of the accused nos.(A-11), (A-12) and (A-13) praying for discharging the accused/petitioner nos.(A-11), (A-12) and (A-13) from the 14 A(b) of Foreigners' Act.

The accused person nos.(A-2), (A-3), (A-4), (A-7), (A-10), (A-11), (A-12) and (A-13) are remanded to J.C. till 20.11.2023.

The accused person nos.(A-8), (A-14), (A-15) and (A-20) are as before.

Let a copy of this order be sent to the Superintendent of Presidency Correctional Home for information and necessary compliance.

Let a copy of this order be sent to the I.O. of this case through concerned O/C with a direction to ensure production of the C.D. on the next date fixed.

D/C by me

Sd./-
Chief Judge
City Sessions Court
Calcutta

Chief Judge
City Sessions Court
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