

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.97 dated 24.01.2024

To-day is fixed for hearing on the point of re-casting of charge.

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-14), (A-15) and (A-20) on Court Bail are present before this Court by filing hazira.

Ld. Counsels for the accused persons are present.

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

The record is taken up for hearing on the point of re-casting of charge.

At this juncture, a petition along with a photocopy of certified copy of order dated 11.01.2023 passed by the Hon'ble High Court at Calcutta in connection with C.R.M. (DB) 4490 of 2022 has been filed on behalf of the accused person no.(A-20) Sk. Rejaul @ Kiran @ Rutu stating that at the time of granting bail, Hon'ble High Court at Calcutta was pleased to observe as follows:

“No explosive substance was recovered from his possession.”

Ld. Counsel for the accused person no.(A-20) Sk. Rejaul @ Kiran @ Rutu further submits that explosive substance Act would not be attracted against the above named accused person and considering the above ground at the time of framing of charge, the relevant sections of explosive substance Act be excluded as it is not attracted in this case.

Copy served as per endorsement.

Let the same be kept with the record.

A petition has been filed on behalf of the accused person no.(A-7) Dilwar Hossain @ Umar @ Nurul @ Ali Hassain stating that accused/petitioner has been suffering from Hydrosil and Hernia problems and for that he needs immediate operation and therefore it is prayed for a necessary direction upon the Superintendent of Presidency Correctional Home to provide proper medical treatment to the accused/petitioner.

Heard Ld. Counsel for the accused person who prays for passing necessary order for proper care and best treatment while undergoing the operation.

In view of such fact, the Superintendent of Presidency Correctional Home is directed to render proper medical treatment to the accused person no.(A-7) Dilwar Hossain @ Umar @ Nurul @ Ali Hassain as per prescription of the Registered Medical Practitioner deputed in the Correctional Home and as per the Provisions of Jail Code with a further direction to submit a detailed report in this regard by the date fixed.

On submission of both sides, fix **08.02.2024** for hearing of the petition dated 24.01.2024 filed on behalf of the accused person no.(A-20) Sk. Rejaul @ Kiran @ Rutu praying for excluding the relevant sections of explosive substance Act at the time of framing of charge against the accused person and hearing on the point of re-casting of charge.

Continued....

Continued order no.97 dated 24.01.2024

Written objection, if any, in the meantime.

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 08.02.2024

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 I.O. of this case through concerned O/C with a direction to ensure production of the C.D. on the date fixed.

Let a copy of this order along with a copy of the petition filed today by the accused person no.(A-7) Dilwar Hossain @ Umar @ Nurul @ Ali Hassain be sent to the Superintendent of Presidency Correctional Home for information and necessary compliance.

D/C by me

Sd./-
Chief Judge
City Sessions Court
Calcutta

Chief Judge
City Sessions Court
Calcutta