

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.102 dated 21.03.2024

To-day is fixed 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 Substances Act, 1884 at the time of framing of charge against the accused person and 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 and the Ld. Special P. P. are present.

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 Substances Act, 1884 at the time of framing of charge against the accused person is taken up for hearing.

At this juncture, Ld. Counsel for the accused person no.(A-20) Sk. Rejaul @ Kiran @ Rutu submits that the accused person is inclined to not press the petition dated 24.01.2024 and subsequently the Ld. Counsel puts an endorsement on the petition dated 24.01.2024 filed on behalf of the accused person no.(A-20) Sk. Rejaul @ Kiran @ Rutu with endorsement "Not pressed."

Accordingly, 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 Substances Act, 1884 at the time of framing of charge against the accused person is **rejected being not pressed.**

Thus, the petition dated 24.01.2024 is disposed of.

On submission of all sides, fix **25.04.2024** for hearing on the point of re-casting of charge.

Received one medical report in respect of the accused person no.(A-10) Jahidul Islam @ Kausar @ Boma Mijan along with one forwarding letter bearing no.3754/AB-II (Medical) dated 20.03.2024 from the Superintendent of Dum Dum Central Correctional Home in terms of order no.100 dated 07.03.2024 passed by this Court.

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

Ld. Counsel for the accused person no.(A-10) Jahidul Islam @ Kausar @ Boma Mijan submits before this Court that in the medical report issued by the Medical Officer, Dum Dum Central Correctional Home it has been stated that the accused/petitioner is a diabetic patient and he will receive diabetic diet and so prays for calling for a report as to whether the accused person is provided with medical diet or not as per direction of this Court.

Ld. Counsel for the accused person no.(A-10) Jahidul Islam @ Kausar @ Boma Mijan also prays for a direction upon the concerned Correctional Home Authority to take necessary steps to fix the date for taking the accused/petitioner to outside Jail Hospital for this medical treatment on any date save and except the dates so fixed by this Court.

Continued.....

Continued order no.102 dated 21.03.2024

Heard the Ld. Counsel for the accused person.

In view of such fact, the Superintendent of Dum Dum Central Correctional Home is directed to provide adequate medical treatment and diet to the accused person no.(A-10) Jahidul Islam @ Kausar @ Boma Mijan as per prescription of the Registered Medical Practitioner deputed in the Correctional Home and as per the West Bengal Correctional Services Act, 1992 and submit a detailed report in this regard by the next date fixed positively with a further direction to fix the date for the treatment of the accused/petitioner outside the Jail Hospital preferably on the dates not fixed by this Court for production before this Court.

A petition has been filed on behalf of the accused person namely (A-13) Adil Sk. @ Abdullah @ Asadulla @ Ajit Sk. stating that the accused/petitioner's sister namely Jaynab Khatun aged about 12 years died on 05.03.2024.

Ld. Counsel for the accused person further submits that an application was filed before the Presidency Correctional Welfare Authority to take the accused/petitioner to his native village on parole.

Ld. Counsel for the accused person further submits that a report was sent by the local Police Station, Shamshegang in this regard, but after receiving the said information from the Local Police Station, the concerned Correctional Home Authority did not make any arrangement for taking the accused/petitioner to his native village and therefore Ld. Counsel prays for calling for a report from the Superintendent of Presidency Correctional Home in this regard.

Heard the Ld. Counsel for the accused person namely (A-13) Adil Sk. @ Abdullah @ Asadulla @ Ajit Sk.

In view of the above fact, let a report be called for from the Superintendent of Presidency Correctional Home in this regard with a direction to submit the same before this Court on the next date fixed positively.

To-date i.e. **25.04.2024** for submission of reports by the Superintendent of Presidency Correctional Home and Superintendent of Dum Dum Central Correctional Home.

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 25.04.2024

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 be sent to the Superintendent of Presidency Correctional Home for information and necessary compliance.

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

D/C by me

Sd./-  
Chief Judge  
City Sessions Court  
Calcutta

Chief Judge  
City Sessions Court  
Calcutta

