

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.120 dated 30.09.2024

To-day is fixed for production of the accused persons, appearance of the four accused persons, further hearing on the point of re-casting/alteration of charge and submission of medical report in respect of the accused person namely Dilwar Hossain.

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

The accused person nos.(A-2) Ahammad Ali @ Kalu, (A-3) Nur Alam Momin @ Noor Alam @ Alam and (A-4) Md. Paigambar Sk. are not produced before this Court from the J.C.

Received one report from the Superintendent of Presidency Correctional Home bearing letter no.11993/RB dated 28.09.2024 along with a copy of order dated 24.09.2024 passed by the Ld. Special Judge, NIA, Patna in Special Case no.01 of 2018 (RC No.04/2018) stating that the accused person nos.(A-2) Ahammad Ali @ Kalu, (A-3) Nur Alam Momin @ Noor Alam @ Alam and (A-4) Md. Paigambar Sk. were produced before the Court of Ld. Special Judge, NIA, Patna, Bihar in connection with Special Case no.01 of 2018 on 24.09.2024 and thereafter the said three accused persons have not yet been returned to the Correctional Home from Patna, Bihar and as such the concerned Correctional Home Authority is unable to produce these three accused persons before this Court.

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

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.

In view of the non production of the three accused person nos.(A-2) Ahammad Ali @ Kalu, (A-3) Nur Alam Momin @ Noor Alam @ Alam and (A-4) Md. Paigambar Sk. this Court has no other option left but to adjourn the further hearing of the petition on the point of re-casting/alteration of charge.

Accordingly, the case is adjourned today for the ends of justice.

Ld. Counsels for the parties are directed to remain present and to come ready with hearing of the recasting of the charge and or submission, if any, on the next date fixed in this regard.

Received one medical report in respect of the accused person namely Dilwar Hossain (A-7) along with a forwarding letter bearing nos.12030/IMB dated 29.09.2024 from the Superintendent of Presidency Correctional Home in terms of order no.118 dated 11.09.2024 passed by this Court.

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

In view of the above report, the Superintendent of Presidency Correctional Home is further directed to take necessary steps for providing continuous medical treatment to the accused person namely Dilwar Hossain strictly as per advice of the registered medical practitioner of the Correctional Home as per the provisions of West Bengal Correctional Services Act, 1992.

The Superintendent of Presidency Correctional Home is further directed to take necessary steps to ensure production of the accused person nos.(A-2) Ahammad Ali @ Kalu, (A-3) Nur Alam Momin @ Noor Alam @ Alam and (A-4) Md. Paigambar Sk. before this Court on the next date fixed.

On submission of both sides, fix **18.11.2024** for production of the accused persons, appearance of the four accused persons and further hearing on the point of re-casting/alteration of charge.

Puja vacation intervenes from 09.10.2024 to 04.11.2024.

The accused person nos.(A-7),(A-10), (A-11), (A-12) and (A-13) are remanded to J.C. till 18.11.2024.

To-date i.e. on **18.11.2024** for production of the accused person nos.(A-2), (A-3) and (A-4) before this Court.

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

To-date i.e. on **30.11.2024** for hearing of the petition dated 12.06.2024 filed on behalf of the convict (A-21), Izaj Ahmed @ Moti Ahmed @ Jitu @ Izaj @ Md. Yousuf together with the report received from the Ld. Secretary, the District Legal Service Authority, Kolkata vide no.1827/DLSAK/2024 dated 20.09.2024.

The I.O. of this case is directed to take necessary steps to ensure production of the C.D. on the next date fixed.

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

D/C by me

Sd./-
Chief Judge
City Sessions Court
Calcutta

Chief Judge
City Sessions Court
Calcutta

