

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.130 dated 09.01.2025

To-day is fixed for production of the accused persons, appearance of the four accused persons and further hearing on the point of re-casting/alteration of charge.

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.

No report with regard to non 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 today has yet been received from the Superintendent of Presidency Correctional Home.

On perusal of the case record it transpires that one report bearing letter no.14148/RB dated 26.11.2024 was submitted by the Superintendent of Presidency Correctional Home on 30.11.2024 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 from the Correctional Home at Patna, Bihar and as such the Presidency Correctional Home Authority is unable to produce these three accused persons before this Court.

Received one copy of intimation vide Memo no.64 dated 04.12.2024 from the Court of Ld. Special Judge, NIA, Bihar, Patna.

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 found present before this Court on calls and hazira has been filed on their own behalf.

None turns up on behalf of the accused persons.

Ld. Special P. P. is present by filing hazira.

Today Ld. Lawyers did not attend the Court proceedings due to resolution taken by local Bar on account of death of a Ld. Advocate.

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 and also on consideration of the resolution “**Not to attend**” taken by local Bar, 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.

The Superintendent of Presidency Correctional Home is also 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.

Fix **19.02.2025** for production of the accused persons, appearance of the four accused persons and further hearing on the point of re-casting/alteration of charge.

The accused person nos.(A-7),(A-10), (A-11), (A-12) and (A-13) are remanded to J.C. till 19.02.2025.

To-date i.e. on **19.02.2025** 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.

Let a copy of this order 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