

**Sessions Case No.15 of 2020**

**CNR – WBCS01-000301-2020**

**Present: Partha Sarathi Sen,  
Chief Judge,  
City Sessions Court, Calcutta,  
JO Code No.WB01045.**

**Order No.27 dated 15.07.2021**

Today is fixed for consideration of charge as well as for hearing of the application u/s 227 Cr.P.C. dated 19.03.2021 as filed by accused Ruhul Amin @ Saifullah and accused Mosibur Rahaman @ Raruque as well as for hearing of the application dated 29.06.2021 as filed by accused Ruhul Amin @ Saifullah.

All the ten accused persons namely; **1. Asif Iqbal @ Nadeem, 2. Mosibur Rahaman @ Faruque, 3. Ruhul Amin @ Saifullah, 4. Sajjad Ali @ Ashadullah @ Sahid @ Sajjadur Rahaman, 5. Manirul Islam @ Doctor, 6. Ariful Islam @ Arif @ Aatur @ Aktretur @ Mota Anas @ Sahid, 7. Kader Kazi @ Mizanur Rahaman @ Harun Mondal, 8. Izaj Ahmed @ Moti Ahmed @ Jitu @ Izaj @ Md. Yousuf, 9. Sk. Ashadullah @ Arif @ Rafikul Islam** and **10. Jahidul Islam @ Kausar @ Boma Mijan** are produced before this Court in virtual mode from J/C.

Mr. Biswajit Thakurata, Ld. P.P.-in-charge is present by filing hazira.

Ld. Advocate for the accused persons namely; Ruhul Amin @ Saifullah and accused Mosibur Rahaman @ Raruque is present.

On behalf of the aforesaid two accused persons, one bail application is filed.

Copy served. Let the bail application as filed be kept with the record.

On behalf of the remaining accused persons, none turns up though on previous occasions they were represented by their respective Ld. Advocates.

At this stage, the petition dated 29.06.2021 as filed by the accused Ruhul Amin @ Saifullah is taken up for hearing.

In course of his submission, Ld. Advocate for the accused Ruhul Amin @ Saifullah submits before this Court that he intends to not press the petition dated 29.06.2021 and to that effect, he made endorsement 'Not Pressed' upon such application.

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In view of such, the petition dated 29.06.2021 as filed by the accused Ruhul Amin @ Saifullah stands hereby rejected being not pressed.

As per request of the Ld. Advocate for the accused Ruhul Amin @ Saifullah and accused Mosibur Rahaman @ Raruque, bail application as filed today is taken up for hearing.

It is contended on behalf of the aforesaid two accused persons that considering the long detention and also considering the fact that the present accused/petitioners are not named in the FIR and keeping in mind that the present accused/petitioners are not involved in the alleged crime, the instant application for bail may be considered favourably.

While opposing the prayer for bail, Ld. P.P.-in-charge of City Sessions Court, Calcutta submits before this Court that in course of investigation, huge incriminating materials were recovered from the house of the accused Ruhul Amin @ Saifullah. It is further submitted that in course of investigation, sufficient incriminating materials were also found as against accused Mosibur Rahaman @ Raruque.

On perusal of the entire materials as placed before this Court and after hearing the Ld. Advocate of both sides, this Court is not at all convinced that the present two accused/petitioners namely; Ruhul Amin @ Saifullah and accused Mosibur Rahaman @ Raruque are successful in making out a case for obtaining a favourable order.

Accordingly, prayer for bail of both the accused persons are hereby considered and rejected.

At this stage, the present case is now taken up for consideration of charge as well as hearing of the application u/s 227 Cr.P.C.

Since barring two accused persons, the other accused persons are not represented by their respective Ld. Advocates today and also considering the present pandemic situation as well as the resolution of the local Bar Association, this Court considers that the charges against all the accused persons cannot be considered today and for the same reason, the petition u/s 227 Cr.P.C. also cannot be entertained today

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since in considered view of this Court, consideration of charge against the accused persons and prayer for discharge are required to be disposed of simultaneously.

In view of such, fix **20.08.2021** for consideration of charge against all the accused persons.

To date (20.08.2021) for hearing the petition u/s 227 Cr.P.C. as filed on 19.03.2021.

To date (20.08.2021) production of all the accused persons before this Court in virtual mode.

Let copies of this order be forwarded to the respective Superintendent of Correctional Homes through mail with a direction to ensure the production of the aforementioned ten accused persons before this Court in virtual mode.

Dictated & corrected by me

Chief Judge,  
City Sessions Court, Calcutta.

Chief Judge,  
City Sessions Court, Calcutta.