

S.T No 01 (07) of 2022
Sessions Case No 15 of 2020
CNR – WBCS01-000301-2020
Present: Sri Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB00590.

Order No. 113 dated 16.06.2025

Today is fixed for hearing of the petition dated 21.05.2025 filed on behalf of the accused persons nos. (A-2) Mosibur Rahaman @ Faruque and (A-3) Ruhul Amin @ Saifullah praying for allowing them to stay at their native place instead of residing within the KMC area.

Ld. Advocate for the accused persons and the Ld. Public Prosecutor in charge are present.

One report has been received from the Assistant Commissioner of Police, Kolkata.

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

Now, the petition is taken up for hearing.

Ld. Advocate for the accused/petitioners submits that these accused/petitioners have never disobeyed/violated the conditions of bail till today and they report to the Investigating Officer and also appear before this Court on each and every date of hearing as directed by this Court. He further submits that the accused persons face immense hardship in day to day life in residing within the jurisdiction limits of KMC as they are very poor and living without any income right now. So, he prays for allow the accused persons to reside in their native place and direct them to report before the local PS.

Ld. Public Prosecutor in charge raises vehement objection stating that they neither resided in the jurisdictional limits of the KMC nor provided the proper address as directed by the court and they are flouting the conditions of the bail. He further submits that if the petition is allowed, there is every chance of their absconsion and the trial will be hampered.

Perused petition and the materials on the case record including the report submitted by the Assistant Commissioner of Police, Kolkata and the case diary.

From the report, it appears that accused Ruhul Amin has provided false address to the investigating agency and accused Mosibur Rahaman did not bother to inform the investigating agency regarding his present place of stay.

On careful perusal of the report submitted by the Assistant Commissioner of Police, Kolkata, I get to gather that the conduct of the accused/petitioners are far from satisfactory at this stage.

Considering the facts and circumstances and nature of the offence, I am not inclined to allow the prayer of the accused persons praying for allowing them to stay at their native place instead of residing within the KMC area.

In view of above observation, the petition dated 21.05.2025 filed by the accused/petitioners stands disposed of.

Let a copy of the order be also sent to the I.O through Ld. P.P for information.

Todate i.e. 30.06.2025 for production and appearance.

D/C. by me

Sd/-

Chief Judge
City Sessions Court, Calcutta.

Sd/-

Chief Judge
City Sessions Court, Calcutta.