

IN THE COURT OF LD. CHIEF JUDGE, CITY SESSIONS COURT, BICHAR BHAWAN, CALCUTTA

NIA CASE NO 03 OF 2024

(CNR –WBCS01-000482-2024)

Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta.
Cum Special Judge, Under NIA Act
City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order no. 30 dated 08.04.2025

To-day is fixed for production of the accused person namely Moinur Rahaman from J.C. and appearance of the accused persons namely Jahanar Mollah @ Jahadar Mollah and Mahabhat Molla and submission of I.O's. report in final form.

The accused person namely Moinur Rahaman is produced from the J.C in virtual mode.

The accused persons Jahanar Mollah @ Jahadar Mollah and Mahabhat Molla on Court Bail are present in Court by filing hazira.

Ld. Counsels for the accused persons are present.

Ld. Special P.P. of NIA is present.

The accused person namely Moinur Rahaman is identified by the concerned Jail Authority and he expressed before this Court that he could see and hear the entire court proceedings without any technical glitch.

Dy. SP/CIO, NIA, B.O., Kolkata files a petition through Ld. Special P.P. of NIA stating that investigation is being carried out on a day to day basis to identify and arrest the main conspirators involved in the commission of the offence and therefore some more time is required for completing the investigation and so the CIO prays for some more time for filing I.O's. report in final form and also prays for extension of judicial custody of the accused person namely Moinur Rahaman in the interest of thorough and proper investigation of this case.

Heard both sides on the point of extension of judicial custody of the accused person namely Moinur Rahaman.

Perused the case record and the materials on record.

Having heard the Ld. Special P.P. of NIA and considering the materials on record indicating the prima facie involvement of this accused person in the alleged offence of making of live bombs with a view to commission of heinous crime and for causing communal violence at a ground near Chandrapur Bazar under the jurisdiction of Amta P.S., Howrah and during making of such live bombs one of the bombs had exploded, prayer for time to file I.O's report in final form and also prayer for extension of judicial custody of the accused person namely Moinur Rahaman is allowed in the interest of thorough and proper investigation.

The accused person namely Moinur Rahaman is remanded to J.C. till **22.04.2025**.

One petition has been filed on behalf of the accused persons namely Jahanar Mollah @ Jahadar Mollah and Mahabhat Molla praying for releasing these accused persons on same bail bonds furnished before the Court of Ld. ACJM, Uluberia, Howrah on the ground stated therein.

Heard both sides.

Perused the materials on the case record.

Considering the nature and gravity of the offence alleged, this Court thinks it fit and proper to extend the same bail bonds of these accused persons namely Jahanar Mollah @ Jahadar Mollah and Mahabhat Molla till next date i.e. on 22.04.2025.

By filing another petition along with a sealed envelope containing particulars of the Protected Witness, Ld. Special P.P. for NIA prays for passing order (s) i) to declare the witness as Protected Witness no. "E", ii) to pass such order directing to protect the identity and address of the Protected Witness no. "E" as secret until such time as this Court deems fit and proper in view of section 17 of the NIA Act, 2008 iii) to pass such order to all concerned to keep the identity of the Protected Witness no. "E" in the safe custody of the Court and no certified copies to be furnished to the accused persons or any other person other than the CIO until such period as this Court deem fit and proper and iv) direct the concerned Magistrate to record statement u/s 164 of Cr. P.C. of the protected witness no. "E" in the interest of investigation.

Having heard the submission of the Ld. Special P.P. of NIA regarding examination of the Protected Witness no. "E" u/s 164 of Cr. P.C. and for keeping his name confidential and considering the ground assigned therein as well as for proper and thorough investigation of this case, prayer of the Prosecution/NIA is allowed.

In view of such fact, Ld. Chief Judicial Magistrate, Calcutta is directed to take necessary steps to record the statement of the Protected Witness no. "E" maintaining the guidelines of recording statement of the protected witness and also directed to forward a copy of the statement of the Protected Witness no. "E" to this Court for handing over the same to the C.I.O. in sealed condition.

The I.O. of this case shall disclose confidentially the gender of the protected witness no. "E" to the Ld. CJM, Calcutta for taking appropriate steps by him with regard to sending the record before the Ld. Magistrate who will record such statements of the protected witness no. "E".

I.O. of this case is directed to produce the Protected Witness no. "E" before the concerned Ld. Judicial Magistrate, Calcutta on the stipulated date for recording statement u/s 164 of Cr. P.C.

Copy of this order along with the sealed envelope containing particulars of the Protected Witness no. "E" be supplied to the Ld. Chief Judicial Magistrate, Calcutta for information and necessary compliance.

By filing another petition, Ld. Special P.P. for NIA prays for providing copy of statement of the Protected Witness "D" recorded u/s 164 of Cr. P.C. to the I.O. of this case in the interest of investigation.

Heard the Ld. Special P.P. of NIA.

Prayer for supplying copy of statement of the Protected Witness "D" u/s 164 of Cr. P.C. is considered and allowed in the interest of thorough and proper investigation.

Let a copy of the statement of the Protected Witness "D" as recorded u/s 164 of Cr. P.C. be handed over to the I.O. of this case in sealed condition under proper receipt after opening the sealed envelopes and the same be kept in the said envelopes again in sealed condition.

Office is to do the needful.

Fix **22.04.2025** for production of the accused person namely Moinur Rahaman from J.C. and appearance of the accused persons namely Jahanar Mollah @ Jahadar Mollah and Mahabhat Molla and submission of I.O's. report in final form.

Let a copy of this order also be given to the I.O. of NIA through the Ld. Special P.P., NIA for information and necessary action.

D/C by me

Sd./-
Chief Judge,
City Sessions Court, Calcutta
Cum Judge Special Court, Calcutta
Under NIA Act.

Chief Judge,
City Sessions Court, Calcutta.
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