

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 Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
Special Judge, Under NIA Act
City Sessions Court, Calcutta
J.O. CODE NO.WB00590

Order no. 31 dated 22.04.2025

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.

One supplementary case record is received from the office of the Ld. Chief Judicial Magistrate vide memo no. 1897 dated 21.04.2025 containing five sheets including the particulars of the protected witness 'E' in sealed condition.

It appears from the supplementary case record that the order dated 19.04.2025 passed by the Ld. CJM, Calcutta that the concerned Magistrate was not able to record the statement of the protected witness 'E'.

Let the supplementary case record be tagged with the record.

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 for another fortnight in the interest of thorough and proper investigation of this case.

Ld. Advocate for the accused Moinur Rahaman has raised vehement objection against such prayer and prays for rejection of the prayer made by the Dy. SP/CIO, NIA, B.O., Kolkata.

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, the 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 of this case.

The accused person namely Moinur Rahaman is remanded to J.C. till **05.05.2025**.

Petition praying for extending the ad interim bail of the accused persons, namely, Jahanar Mollah @ Jahadhar Mollah and Mohabbat Mollah, has been filed by the Ld. Advocate of the accused persons.

Heard. Perused.

Considering facts and circumstances of this case, the prayer for extending the ad interim bail of the accused persons, namely, Jahanar Mollah @ Jahadhar Mollah and Mohabbat Mollah stands allowed and their ad interim bail is extended till the next date i.e. on **05.05.2025**.

Both the accused persons are directed to remain present on the next date fixed i.e. 05.05.2025.

Another petition has been filed by the Dy. SP/CIO, NIA, B.O through Ld. Special P.P. of NIA praying for passing necessary direction upon the Ld. Chief Judicial Magistrate, Calcutta to record the statement of the protected witness 'E' u/s 164 of the Cr.P.C.

Perused the petition. Having heard the submission of the Ld. Special P.P. of NIA, the prayer for examination of the Protected Witness no. "E" u/s 164 of Cr. P.C. is allowed further.

In view of such fact, Ld. Chief Judicial Magistrate, Calcutta is further 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".

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

Ld. Advocate for the accused Moniur Rahaman has filed a petition praying for bail of the said accused person after serving the copy to the other side.

Ld. Special P.P. of NIA verbally prays for time for filing written objection against the bail petition.

Heard. The prayer for time by the Ld. Special P.P. of NIA is allowed.

Fix **28.04.2025** for hearing of the bail application, filing of written objection by the prosecution and production of the accused Moniur Rahaman.

The accused person Moniur Rahaman be produced on **28.04.2025**.

Fix **05.05.2025** 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.

Let a copy of this order also be given to the Superintendent, Presidency Correctional Home for information and necessary compliance.

D/C by me

Sd/-

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

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City Sessions Court, Calcutta.
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