

In the Court of Ld. Chief Judge, City Sessions Court, Calcutta
NIA Special Case No. 08 of 2023
CNR-WBCS01-000546-2023
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order no. 20 dated 15.04.2024

Today is fixed for production of these two accused persons namely **(i) Manobrata Jana** and **(ii) Balai Charan Maity** before this Court from P.C.

Today is also fixed for appearance of the accused person Panchanan Ghorai who is on Court bail, bringing order of the Hon'ble High Court at Calcutta, if any, and further hearing of the petition dated 25.07.2023 u/s 439 (2) of Cr.P.C praying for cancellation of bail of the accused person namely Panchanan Ghorai filed on behalf of the Prosecution/NIA in presence of both sides.

Both the accused persons namely, **(i) Manobrata Jana** and **(ii) Balai Charan Maity** are produced from P.C before this Court along with medical documents.

Both the accused persons namely, **(i) Manobrata Jana** and **(ii) Balai Charan Maity** are taken into custody.

Accused person namely, **Panchanan Ghorai** who is on Court bail is present and he files hazira in person.

Neither the Ld. Spl. P.P of NIA nor the Ld. Counsels for the accused persons are present.

No steps is taken on behalf of the accused persons.

No steps is taken on behalf of the Ld. Spl. P.P of NIA.

I.O is present with C.D.

Dy S.P/CIO, NIA, B.O, Kolkata files a petition through the I.O of this case praying for three (3) days police custody of both the accused persons namely **(i) Manobrata Jana** and **(ii) Balai Charan Maity** for further interrogation and for unearthing the larger conspiracy involved in the crime for procuring huge quantity of explosives illegally by the accused persons and their group members, specifically with the sole motive of targeted killing of innocent civilians and terrorizing the people at large and such acts are prejudicial to the sovereignty and security of India and three persons have died due to such bomb explosion and incriminating materials were seized from their possession at the time of their arrest and he prays for three days further police custody of both the accused persons namely **(i) Manobrata Jana** and **(ii) Balai Charan Maity** in the interest of thorough and proper investigation of this case.

Now the record is taken up for hearing on the point of further police custody of these two accused persons **(i) Manobrata Jana** and **(ii) Balai Charan Maity** for three (3) days as prayed by the I.O of this case.

None turns on behalf of the accused persons.

I.O of this case is present on witness dock and submits that statements of the protected witnesses recorded u/s 161 of the Cr.P.C and u/s 164 of the Cr.P.C indicates the involvement of these accused/petitioners in the alleged offence of bomb explosion and CDR's corroborates the connectivity of the accused/petitioners in the crime and he prays for further police custody of two accused persons namely **(i) Manobrata Jana** and **(ii) Balai Charan Maity** for three days in the interest of thorough and proper investigation of this case.

Heard the I.O of this case. I.O prays for further police custody to ascertain the names of other co-conspirators who are behind the crime of storing explosive substances and for causing explosion for terrorizing the local people of the area.

Perused the petition of the NIA and the case record including the materials in the C.D it prima facie appears that there is direct involvement of these accused/petitioners in the alleged offence of storing explosives pursuant to a larger conspiracy and causing bomb explosion for terrorizing the local people in the area.

Considering the materials in the case record and the C.D, the prayer for further Police custody for three days of these two accused persons namely (i) **Manobrata Jana** and (ii) **Balai Charan Maity** is **allowed** in the interest of thorough and proper investigation of this case.

Accused persons namely (i) **Manobrata Jana** and (ii) **Balai Charan Maity** are remanded to police custody till **18.04.2024**.

The I.O is at liberty to take the accused persons (i) **Manobrata Jana** and (ii) **Balai Charan Maity** in police custody of NIA from the Court lock up after medical examination.

The I.O is also directed to follow the guidelines of the Hon'ble Apex Court reported in **1997(1) SCC Cri. Page 96** strictly during the detention of the accused persons in PC/custody of NIA together with medical check up and both the accused persons shall not be tortured during the P.C period.

No further order of the Hon'ble High Court at Calcutta has yet been filed by the accused person.

The petition dated 25.07.2023 u/s 439 (2) of Cr.P.C praying for cancellation of bail of the accused person namely Panchanan Ghorai filed on behalf of the Prosecution/NIA in presence of both sides is taken up for hearing.

At this stage, accused person Panchanan Ghorai files a petition in person praying for adjournment for hearing the petition dated 25.07.2023 u/s 439 (2) of Cr.P.C filed by the NIA for the ends of justice.

In view of the resolution dated 09.04.2024 that **the General Members will abstain from judicial works** taken by the local bar, I am inclined to allow the prayer for adjournment of hearing of the petition dated 25.07.2023 u/s 439 (2) of Cr.P.C filed by the NIA for the ends of justice.

Accused persons namely, (i) **Manobrata Jana** and (ii) **Balai Charan Maity** file a petition in person praying for bail. Let the same be kept with record.

Todate **18.04.2024** for production of these two accused persons namely (i) **Manobrata Jana** and (ii) **Balai Charan Maity** before this Court from P.C.

Todate i.e. **18.04.2024** for appearance of the accused person namely Panchanan Ghorai, bringing order of the Hon'ble High Court at Calcutta, if any, further hearing of the petition dated 25.07.2023 u/s 439 (2) of Cr.P.C praying for cancellation of bail of the accused person namely Panchanan Ghorai filed on behalf of the Prosecution/NIA in presence of both sides and hearing the bail petition filed by both the accused persons namely, (i) **Manobrata Jana** and (ii) **Balai Charan Maity**.

Objection if any in the meantime.

Let a copy of this order be sent to the I.O through Ld. Spl. P.P of NIA for information and necessary compliance.

Dictated & corrected by me

Sd/-
Chief Judge,
City Sessions Court, Calcutta.

Sd/-
Chief Judge,
City Sessions Court, Calcutta.