

NIA CASE NO 08 OF 2023  
(CNR –WBCS01-000546-2023  
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.23 dated 30.04.2024

To-day is fixed for appearance of the accused person, 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) 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 production of the two accused persons namely (i) Manobrata Jana and (ii) Balai Charan Maity before this Court from J.C.

To-day is also fixed for hearing of the bail petition dated 15.04.2024 filed on behalf of the accused persons namely i) Manobrata Jana and ii) Balai Charan Maity and filing of written objection, if any, in the meantime by the Prosecution/NIA.

The accused person namely Panchanan Ghorai on Court Bail is present in Court by filing hazira along with his Ld. Counsel.

The accused persons namely i) Manobrata Jana and ii) Balai Charan Maity are produced before this Court from J.C.

Ld. Counsels for the accused persons and the Ld. Special P.P. of NIA are present.

Dy. S.P./CIO, NIA, B.O., Kolkata filed one petition through Ld. Special P.P. of NIA praying for further remanding the accused persons namely i) Manobrata Jana and ii) Balai Charan Maity to judicial custody for a period of fortnight in the interest of proper and thorough investigation.

The bail petition dated 15.04.2024 filed on behalf of the accused persons namely i) Manobrata Jana and ii) Balai Charan Maity is taken up for hearing.

At this juncture, the accused persons submits before this Court that they are inclined to not press the bail petition dated 15.04.2024 and subsequently both the accused persons namely i) Manobrata Jana and ii) Balai Charan Maity put endorsement on the bail petition dated 15.04.2024 with endorsement "Not pressed as matter is pending before the Hon'ble High Court at Calcutta."

Accordingly, the bail petition dated 15.04.2024 filed on behalf of the accused persons namely i) Manobrata Jana and ii) Balai Charan Maity is **rejected being not pressed**.

The remand application filed today on behalf of the Prosecution/NIA is taken up for hearing.

Heard both sides.

Perused the petition of the I.O. and the case record.

Considering the nature and gravity of the offence alleged, the prayer of the I.O. for fourteen days judicial custody of these two accused persons namely i) Manobrata Jana and ii) Balai Charan Maity is allowed.

No further order of the Hon'ble High Court at Calcutta has yet been furnished by the accused person namely Panchanan Ghorai.

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

At this juncture, a petition has been filed on behalf of the Prosecution/NIA praying for an adjournment on the ground stated therein.

Heard both sides on the point of adjournment.

Prayer for adjournment is considered and allowed.

Received one Email from Assistant Registrar/Nodal Officer, Faster Cell, Supreme Court of India, Tilak Marg, New Delhi, Delhi, India along with one copy of order dated 29.04.2024 passed by the Hon'ble Supreme Court of India in Petition (s) for Special Leave to Appeal (Crl.) No.(s).5860/2024, IA No.99892/2024 and IA No.99893/2024 through office email.

Perused the copy of solemn orders 29.04.2024 in Petition (s) for Special Leave to Appeal (Crl.) No.(s).5860/2024, IA No.99892/2024 and IA No.99893/2024 wherein Hon'ble Supreme Court of India has been pleased to observe as follows:

*“Taking into consideration that on an earlier occasion vide order dated 30.06.2023 interim protection was granted by the High Court in favour of the petitioners before the rejection of their anticipatory bail application, we are inclined to issue notice.*

*Issue notice, returnable on 10.06.2024.*

*Dasti service, in addition, is granted.*

*In addition to the usual mode, liberty is granted to the petitioner (s) to serve notice through the standing counsel for the respondent.*

*Till the next date of hearing, by way of ad interim order, in the event of arrest petitioners be released on bail in connection with FIR bearing No. RC-16/2023/NIA/DLI dated 04.06.2023 registered with P.S. NIA, New Delhi, subject to their executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with one or more sureties in the like amount.*

*However, the petitioners are directed to cooperate with the investigation and report to the Investigating officer as and when directed to do so.”*

Let the solemn order dated 29.04.2024 of the Hon'ble Supreme Court of India passed in Petition (s) for Special Leave to Appeal (Crl.) No.(s).5860/2024, IA No.99892/2024 and IA No.99893/2024 be kept with the record.

However on scrutiny of the record, I find that the accused person namely Manab Kumar Parua and others has not surrendered before this court till date and this case is at the investigation stage and charge sheet has not yet been submitted.

The accused persons namely i) Manobrata Jana and ii) Balai Charan Maity are remanded to J.C. till 14.05.2024.

Fix **14.05.2024** for production of the two accused persons namely (i) Manobrata Jana and (ii) Balai Charan Maity before this Court from J.C.

Fix **06.06.2024** for appearance of the accused person, 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) 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.

Let a copy of this order be sent to the I.O. of this case through Ld. Special P.P. of NIA with a direction to ensure production of the C.D. on the date fixed positively.

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.

Cum Judge Special Court, Calcutta

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