

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.35 dated 04.07.2024

Put up petition along with a separate petition has been filed by Dy. S.P./CIO, NIA, B.O., Kolkata through the Ld. Special P.P. of NIA praying for allowing the Prosecution/NIA to file 1st Supplementary Charge Sheet vide SCS No.07/2024 dated 04.07.2024 u/s 120B, 201 and 436 of IPC and sections 4,5 and 6 of Explosive Substances Act against the 6 (Six) accused persons namely (A-1) Late Raj Kumar Manna, (A-2) Late Biswajit Gayen, (A-3) Late Buddhadeb Manna, (A-4) Panchanan Ghorai, (A-5) Manobrata Jana and (A-6) Balai Charan Maity.

Put up petition is considered and allowed.

Let the case record be put up before this Court at once.

D/C by me

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

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

The case record is placed before this Court.

Today Dy. S.P./CIO, NIA, B.O., Kolkata has submitted 1st supplementary charge sheet vide SCS No.07/2024 dated 04.07.2024 against the 06 (six) accused persons with a prayer to take cognizance.

Sl. No.	Name of the Accused Persons	Charged for Commission of offences
(A-1)	Late Raj Kumar Manna son of Lt. Khudiram Manna residing at Vill.-Naruabila, P.S.-Bhupatinagar, East Medinipur, West Bengal-721456.	Under sections 120B read with section 436 of IPC and sections 4 and 5 of Explosive Substances Act
(A-2)	Late Biswajit Gayen son of Sh Kshudiram Gayen residing at Vill.-Naruabila, P.S.-Bhupatinagar, East Medinipur, West Bengal-721456	Under sections 120B read with section 436 of IPC and sections 4 and 5 of Explosive Substances Act
(A-3)	Late Buddhadeb Manna son of Lt. Kushadhvaj Manna residing at Vill.-Naruabila, P.S.-Bhupatinagar, East Medinipur, West Bengal-721456.	Under sections 120B read with section 436 of IPC and sections 4 and 5 of Explosive Substances Act
(A-4)	Panchanan Ghorai son of Santosh Gharai residing	Under sections 120B read with

	at Vill.-Naruabila, P.S.-Bhupatinagar, East Medinipur, West Bengal-721456.	section 436 of IPC and sections 5 and 6 of Explosive Substances Act
(A-5)	Manobrata Jana son of Bishnupada Jana residing at Vill.-Naruabila, Naruya Bila, P.S.-Bhupatinagar, Dist. Purba Medinipur, West Bengal-721456	Under sections 120B read with sections 201 and 436 of IPC and sections 4 and 6 of Explosive Substances Act
(A-6)	Balai Charan Maity son of Jogendra Nath Maity residing at Vill.-Nijnaruya, Analberia, Bhagwanpur-II, P.S.-Bhupatinagar, Dist. Purba Medinipur, West Bengal-721444	Under sections 120B read with sections 201 and 436 of IPC and sections 4 and 6 of Explosive Substances Act

Dy. S.P./CIO, NIA, B.O., Kolkata has stated in the 1st supplementary charge sheet that the Sanction for prosecution under section 7 of the Explosive Substances Act, 1908 has been applied for from the District Magistrate, Purba Medinipur, West Bengal (Competent Authority) on 28.06.2024 and sanction order is still awaited. The Original sanction order will be submitted as and when received.

Ld. Special P.P. of NIA submits that I.O. has prayed that the cognizance of offence be taken against the 06 (Six) Accused persons namely (A-1) Late Raj Kumar Manna, (A-2) Late Biswajit Gayen, (A-3) Late Buddhadeb Manna, (A-4) Panchanan Ghorai, (A-5) Manobrata Jana and (A-6) Balai Charan Maity as per the prayer made in the 1st Supplementary Charge Sheet.

Ld. Special P.P. of NIA submits that the I.O. has further prayed for abating the case against three accused persons (A-1) Late Raj Kumar Manna, (A-2) Late Biswajit Gayen and (A-3) Late Buddhadeb Manna as they have died due to bomb blast injuries.

I.O. has further stated that investigation of the case is going on against **Manab Kumar Parua** and **Naba Kumar Panda** who are involved in the larger conspiracy and therefore I.O. has prayed for allowing the prosecution to continue further investigation against the co-accused persons and their associates as per the provision of Section 173(8) Cr. P.C. to unearth the large conspiracy and for submitting Supplementary Charge sheet against them, if any.

The I.O. has further prayed for allowing the NIA to retain the relied upon material objects/articles/documents including Rs.2,36,000/- (Rupees Two Lakhs Thirty Six Thousand only) in the NIA Malkhana as per the enclosed list of the 1st supplementary charge sheet to be produced before this Court as and when required.

The I.O. has further prayed allowing the Prosecution/NIA to deposit the seized amount i.e. Rs.2,36,000/- (Rupees Two Lakhs Thirty Six Thousand only) in the bank account of NIA.

Perused the case record and the documents relied upon by the prosecution/NIA including the 1st Supplementary Charge-Sheet.

It appears that prima facie Prosecution/NIA has been able to make out a case against the 06 (Six) Accused persons namely (A-1) Late Raj Kumar Manna, (A-2) Late Biswajit Gayen , (A-3) Late Buddhadeb Manna, (A-4) Panchanan Ghorai, (A-5) Manobrata Jana and (A-6) Balai Charan Maity.

Thus, cognizance is TAKEN.

Prayer of the I.O. regarding continuation of further investigation of the case u/s 173(8) Cr. P.C. is considered and allowed for the interest of proper and thorough investigation supplementing to it.

Prayer of the I.O. with regard to abating (A-1) Late Raj Kumar Manna, (A-2) Late Biswajit Gayen and (A-3) Late Buddhadeb Manna is considered and allowed as per prayer of the Prosecution/NIA as they have died sustaining bomb blast injuries.

Prayer of the I.O. for allowing the NIA to retain the relied upon material objects/articles/documents including Rs.2,36,000/- (Rupees Two Lakhs Thirty Six Thousand only) in the NIA Malkhana as per the enclosed list of the 1st supplementary charge sheet is considered and allowed.

Prosecution/NIA is granted liberty to deposit the seized amount i.e. Rs.2,36,000/- (Rupees Two Lakhs Thirty Six Thousand only) in the bank account of NIA with a direction to submit a detailed report in this regard before this Court after depositing the said amount in the bank account of NIA. The Prosecution shall keep photographs and details of all the seized notes for the purpose of trial of this case.

The documents / materials/ articles as per list in the charge sheet and the digital evidence collected from the mobile phones, electronic devices etc. as per list in the 1st supplementary charge sheet be kept in trunk under lock and key and the same be handed over to the NIA for safe custody with a direction to produce the same before the court as and when called for. The keys of the trunk containing documents/ materials/ articles shall be kept in the safe custody of the Court.

To-date i.e. on **09.07.2024** 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.

To-date i.e. on **16.07.2024** for production of the two accused persons namely (i) Manobrata Jana and (ii) Balai Charan Maity before this Court from J.C.

Let a copy of this order be sent to the I.O. of this case for information and necessary action.

D/C by me

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